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HONOLULU, H. T., TUESDAY, OCTOBER 13, 1903—SEMI-WEEKLY.

WHOLE No. 2529.

JUDGE ESTEE CHARGES FEDERAL GRAND JURY

He Instructs Them Regarding the Crime of Peonage and Other Offenses Against Federal Statutes.

When the October term of the United States District was opened yesterday morning, it was found that there was not a sufficient number of grand jurors qualified to act. Judge M. M. Estee therefore ordered a special venire to issue to Marshal Hendry for fifteen additional men, returnable at 2 o'clock in the afternoon. The Marshal was punctual in making the return and, with the appointment of foreman made by the court and the election of a secretary by the grand jury, the entire panel sworn in consists of the following named twenty-three men:

W. O. Atwater, foreman; J. R. Galt, secretary; Geo. F. Fuller, J. E. Gmahlson, Andrew Adams, Walter H. Hyman, Alex. Illka C. B. Huston, E. R. Biven, W. A. Fetter, Luther S. Augst, H. Willgeroth, John Lucas, S. C. Dwight, John C. Lane, Lot N. C. Lane, C. M. V. Forster, Chas. J. Phil, Wm. W. Hall, Chas. H. Ramsay, J. J. Waterman, Kirk B. Porter and Geo. F. Kluegel.

Upon their being sworn, the grand jurors were charged by Judge Estee as follows, the instructions being upon offenses for which there are informations and commitments docketed, besides other offenses against Federal laws that might be brought to their attention or of which any of themselves might be cognizant:

COURT'S CHARGE TO GRAND JURY

Gentlemen of the Grand Jury: You have been called here as members of the Grand Jury of the United States District Court of Hawaii during the term of court just opening and the duties which will devolve upon you are of grave importance. By the fundamental law of the United States, namely, the constitution thereof, it is prescribed that—

"No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a Grand Jury except in cases arising in the land or naval forces or in the militia, when in actual service in time of war or public danger." Sec. 1, Article V.

You will therefore observe that no steps can be taken for the prosecution of any crime of the character indicated until your body shall have acted. The whole series of felonies belong to the class of infamous crimes mentioned. You will therefore note how indispensable to the administration of justice in criminal cases is the action of the grand jury.

SCOPE OF DUTIES.
You are officers of the United States and as such, deal only with offenses against the laws of the United States, or which are made by United States laws. You have nothing to do with offenses under the laws of the Territory of Hawaii.

Your jurisdiction, however, in the investigation of offenses made such by the laws of the United States, extends over the whole Territory of Hawaii, and you are to fairly and without fear or favor investigate all crimes within the Territory which come under that category.

I wish to say further to you in relation to the character of your duties, that the grand jury is designed not alone as a means of bringing to trial persons accused of crime upon just grounds, but it is also a means of protecting the citizen against unfounded accusations whether they proceed from the government or are prompted by individual enmities or personal passion. There is, therefore, a double duty cast upon you as grand jurors of this district; one is that duty to society to see that parties against whom there is just ground to charge the commission of a crime shall be held to answer thereto, and on the other side, a duty to the citizen to see that he is not subjected to prosecution upon erroneous accusations.

SECRECY ESSENTIAL.

Your sessions shall be secret. This is just. It would work a great hardship to any citizen against whom charges might be brought to you for investigation, if as a result thereof you should find them unfounded, and said charges had been made public.

You must examine all matters called to your attention by the Court; also all matters called to your attention by the United States District Attorney. You will also examine all cases of alleged violations of United States laws that may be brought to your attention and evidence presented thereon, aside from any matter that may be

brought before you either by the District Attorney or indicated in this charge.

You are not, however, to consider or examine the books or accounts of Federal officers; these matters are left to the heads of the departments to which these officers belong.

It may be possible that some of you have, within your personal experience, knowledge of the commission of a public offense against the laws of the United States or of facts which tend to show that such an offense has been committed. If you are possessed of any such knowledge, you should disclose it to your associates so that they may consider it.

If any attempt is made to influence your action as grand jurors, it will be your duty to immediately notify the Court. It is provided by Section 5405 of the Revised Statutes of the United States, that—

"Every person who attempts to influence the action or decision of any grand juror upon any issue or matter pending before such juror, or before the jury of which he is a member or pertaining to his duties, shall be punishable by a fine of \$100 or by imprisonment or by both."

PRESUMPTION OF INNOCENCE.

In considering the evidence presented to you in each case, you will remember that all persons, no matter what the charge against them may be, are presumed to be innocent until proven guilty. And to justify the finding of an indictment, you must be convinced so far as the evidence goes, that the accused is guilty; in other words, if in your judgment the evidence before you would if unexplained, and uncontradicted, warrant a conviction by a petit jury you should find an indictment.

The general government has selected the United States District Attorney to represent its interests in all prosecutions. He will at all times be ready and willing to aid you in your investigations. He will call and examine witnesses and if need be interpreters to assist you in your labors; but if you so desire you can call and examine witnesses of your own volition.

The District Attorney has no right to be present during your deliberations or when you vote; no one but members of the grand jury can be present at your deliberations or at your voting. In your examinations you will hear and consider only legal testimony; mere hearsay testimony you will discard. And if in your investigations you find, or become convinced that there is evidence not produced which would explain away a charge presented to you, it will be your duty to get such evidence if it is possible to do so. I wish further to state to you that it requires the affirmative vote of at least twelve of your members to find an indictment.

CRIME OF PEONAGE.

Among the matters placed before you for investigation, there are likely to be certain offenses arising under Sections 5526 and 5527 of the R. S. U. S. known as the "peonage" statutes.

Section 5526 prescribes that—
"Every person who holds, arrests, returns or causes to be held, arrested or returned, or in any manner aids in the arrest or return of any person to a condition of peonage, shall be punished by a fine of not less than one thousand nor more than five thousand dollars, or by imprisonment not less than one year nor more than five years or by both."

Section 5527 reads as follows—
"Every person who obstructs or attempts to obstruct or in any way interferes with or prevents the enforcement of the preceding section shall be liable to the pains and penalties therein described."

It should also be borne in mind that our Constitution is opposed to all forms of peonage, slavery or servitude. All men are free from the moment their feet rest on American soil, for our fundamental law and the acts of Congress passed in conformity therewith intend that neither slavery nor involuntary servitude shall exist anywhere in America. This constitutional prohibition applies with equal force to foreign as to American born people living in the United States. No man is too great or too small not to be bound or protected by it. This Republic rests upon the sacred principle that all men are born free and equal. Peonage is un-American. It matters not from what country the peon immigrates or what agreement he comes under, he cannot with impunity translate to our shores any form of servitude; nor can he implant here, unresisted by our laws, the principles peculiar to slavery or the customs of his own country. American law is designed to enforce all the personal rights due each human being in America and in that sense it teaches morality.

IMMORAL IMPORTATION.

It is further provided by Section 3

(Continued on page 3.)

ALL SERENE WITH JURY

A Contempt Case Could Not Be Got Up.

Kamuela was found guilty yesterday afternoon of assault with a weapon. Judge Gear sentenced him to be imprisoned at hard labor for eighteen months, the term being but six months less than the longest the law allows. Ella Long, who defended Kamuela by assignment of the court, had put the defendant on the stand as the sole witness for the defense and asked him but one question. This was if he stabbed the Japanese alleged to have been assaulted.

"I did not," was the answer.

Mr. Fleming for the Territory was met with objections to any cross-examination of the defendant which did not bear upon that simple denial of guilt, yet some questions objected to on that ground were allowed.

The jury retired at 12:25 and half an hour later called the bailiff to give them a fresh supply of blank ballots. They came into court after an absence of more than an hour and through Carl Willing as foreman announced that they could not agree. They had taken ten ballots and were divided eight to four. Judge Gear sent them down town for lunch, giving a gentle hint by remarking that it ought to be possible to reach a verdict under the evidence presented. At 3:30 the jury returned a verdict of guilty.

STORY OF THE CASE.

According to the evidence, Kamuela went into the house of a Japanese at Kamolihi, while the occupant was taking a siesta, and gathering up certain personal effects was about to make off with the bundle. At this juncture the Japanese awoke and, springing off his couch, exclaimed, "What's the matter, kamaka?" As the Japanese went to intercept the intruder's escape, Kamuela jabbed him in the shoulder with a jack-knife and ran out with the weapon in his hand. As he was pursued with hue and cry by the Japanese and his neighbors, Kamuela kept them at bay by brandishing the knife about him. When the pursuit became too hot he threw the knife away but it was found and he was captured virtually red-handed. His defense in court did not amount to a whit more than his formal plea of not guilty on arraignment excepting that it was a denial of guilt under oath.

THE SAME JURY.

The jury that convicted Kamuela was the one impaneled on Thursday, some of whose members struck duty on Friday morning owing to a news item in the Advertiser relating to their impaneling. As previously reported, Judge Gear requested the Attorney General to take such proceedings as he found necessary for calling the Advertiser to account for impeding justice in the case.

Attorney General Andrews reported with authorities yesterday morning. His investigation had confirmed his first impression that there was nothing actionable in the offending article. It had been his desire to be sure about it, as the jurors seemed to be aggrieved and were entitled to protection. There were Eastern cases in which juries were attacked with severe criticism and aspersions while trials were in progress, but in which the supreme courts held there was nothing actionable. In the present case it appeared the article at the worst was but a criticism of the defendant's attorney for what he did in connection with the impaneling of the jury. Mr. Andrews maintained that the jury must not be influenced by newspaper comment, citing the practice in some places of forbidding jurors the perusal of published reports of cases they were trying at the time. He stated that it was impossible there should be any hidden meaning in the offending article, saying of it:

"It mentions the race line and the color line, but there is nothing in it derogatory to the natives. Suppose the paper had said that there was a red-headed jury and some one should object. There would not be anything that could be taken up under the law."

Judge Gear asked what was to be done. The Attorney General replied that his department was ready to go on with the trial. Mr. Long stated that the defense was also ready to

proceed. This was all there was about it then, none of the jurors offering to speak, and the trial was forthwith resumed. In his charge to the jury, however, Judge Gear briefly instructed them that they were not to consider any publications or newspaper comments.

THE COURT HELPLESS.

Judge Gear probably welcomed the way the contempt proceedings terminated. Under his own recent deliverance he is absolutely powerless to enforce a penalty for that offense. An unpaid fine would make the offender liable to imprisonment in Oahu prison, so that if the amount was but a dollar it would be an "infamous" punishment. Therefore, before Judge Gear could have the editor of the Advertiser landed in prison, the case would have to be investigated by the grand jury. As contempt is not an indictable offense the grand jury would not know what to do with the case. Even if one threw a brick at the Judge in open court, he could not protect himself by summary process of contempt.

LONG CHAMBERS CALENDAR.

Judge De Bolt, as presiding Judge at Circuit Court chambers this week, had a long calendar yesterday.

On the report of W. A. Wall, commissioner in the partition case of M. F. Scott et al. vs. E. N. Philpo et al., the court granted leave to sell the property at public auction, at an upset price of \$5,000, after due notice by newspaper and posters. W. C. Achi for the commissioner; Castle & Withington and Enoch Johnson, separately, for certain defendants; J. A. Magoon, L. A. Dickey and John Greig, each for himself.

In the matter of the estates of H. F. Gibbs and Clara Schneider, the orders for hearings made by Judge Gear were rescinded for the reason that his clerk had failed to advertise them as directed. New orders were signed, returnable November 16. Atkinson & Judd appeared for the administrator.

In the matter of the estate of F. I. Cutter, on motion of F. Andrade a continuance was ordered for the purpose of taking testimony by commission in Japan.

A. Frank Cooke was appointed administrator of the estate of Walter Lee under bonds of \$1800. The estate consists of an expectancy of \$700 from the Ancient Order of Foresters, \$600 in bank, household furniture, horse and buggy, yacht, etc., valued at \$400. His heirs at law are a widow, two adult and two infant children. Stewart appeared for the petitioner.

Albert Barnes vs. C. R. Collins, bill for dissolution of partnership and accounting, was continued indefinitely. W. A. Whiting and C. E. Clemons for plaintiff; W. T. Rawlins for defendant.

Foreclosure of mortgage was ordered in the case of Mary E. Foster vs. Lum Kim, trustee of E. D. Kellest, Jr., being appointed commissioner of sale and publication of notice ordered in the Advertiser and a Chinese paper. Date of sale will be set in decree. E. A. Mott Smith for plaintiff; defendants in default.

NEW TRIAL ORDERED.

Judge Robinson yesterday set aside the verdict in the suit of J. C. Axtell vs. H. E. Hendrick, which awarded the plaintiff \$5000 damages against the defendant for malicious prosecution. He regarded the amount of damages outrageous, a search of many cases of the kind showing no verdict for damages approaching it. A new trial was ordered and further proceedings were assigned to Judge De Bolt.

At the outset of the hearing a motion to strike the motion for a new trial from the files was overruled. After the decision, to which plaintiff noted exceptions, plaintiff moved for an order requiring defendant to furnish additional security. This was set for hearing on Wednesday.

Another motion on file is for an attachment against the property of defendant, on the grounds that H. E. Hendrick, two days after the verdict, sold his property to C. M. Lovested for \$5500, of which \$1000 was cash and the balance secured by a note or notes, that he was secreting his property, also damaging and wasting it, and that he was about to leave the Territory.

C. C. Bittling appeared for plaintiff, and Thomas Fitch for defendant. Mr. Fitch was on crutches owing to his recent attack by inflammatory rheumatism. He stated that he intended leaving for San Francisco today, but would return in January to attend to his cases here.

A temporary injunction was granted by Judge De Bolt, under a bond in \$250 to Hendrick by Axtell with E. O. White as surety, restraining Hendrick from disposing of his property subject to execution.

POSSESSION APPEAL.

Pang Chong has appealed from judgment in the Honolulu District Court against him and in favor of the Board of the Hawaiian Evangelical Association and R. Maka, for summary possession of a piece of land on the western corner of Beretania and Smith streets, Honolulu, and costs of court. Defendant was shown to have been in arrears of rent as lessee and failed to pay the same upon demand made repeatedly.

ERUPTION A SCENE OF INDESCRIBABLE SPLENDOR

No Decrease in Activity of the Mauna Loa Crater, But Everything Is Confined to the Summit Opening.

(BY WIRELESS TELEGRAPH—RECEIVED 9 P. M.)

HILO, Oct. 12.—There is no increase in the fire on the summit of Mauna Loa. The scene from Hilu Sunday night was one of indescribable grandeur. As yet there is no flow of lava. Activity is confined to the summit crater. Four different parties have gone up from here and the first is expected to return Wednesday. There is no decrease in activity since the outbreak.

STACKER

Earlier messages from Hawaii yesterday indicated that the volcano was increasing in activity, and passengers on steamers along the Kona coast witnessed a magnificent display upon Mauna Loa's summit. The following message was received at the Inter-Island Navigation Company's offices from Capt. Mosher of the steamer Iwalani.

"Kona, Oct. 12, 1903.

"Great activity Mokuawewewo. Kilauca smoking. Grand display visible from steamer along the coast."

The Iwalani carried a special party from Honolulu, which was to attempt the ascent of Mauna Loa to view the eruption at close range. It was their intention to disembark at Honuapo Saturday and go overland to the Volcano House, whence the party would leave for Mokuawewewo crater.

A dispatch received yesterday indicates that although the eruption is a magnificent one, yet the lava is still bubbling within the crater and has not begun to flow down the mountain in any great quantity, but an overflow, especially on the Kona side, is expected at any time.

The horizon in the general direction of Maui and Hawaii last evening seemed to indicate the presence of smoke. It was dull and hazy, while above the sky was intensely blue.

IT LOOKS MORE PEACEABLE IN THE FAR EAST

(ASSOCIATED PRESS CABLEGRAMS.)

WASHINGTON, Oct. 13.—The Russian embassy is not alarmed over the situation and believes that the dispute with Japan will be settled amicably.

YOKOHAMA, Oct. 13.—The Russian force at Newchwang has been increased.

LONDON, Oct. 13.—The alarmist rumors from the Far East, predicting war between Russia and Japan, are unconfirmed.

PARIS, Oct. 13.—The Japanese Minister declares that diplomatic relations between Japan and Russia are cordial.

LONDON, Oct. 13.—Vice Admiral Noel has been confirmed as commander of the British naval forces on the China station.

Vice Admiral Noel won a knighthood in 1898 during the difficulties at Crete. He is a very important man in the British navy, having held such important commands as those of the Home Squadron and Mediterranean fleet; has been a Lord of the Admiralty; and for two years was an aide-de-camp to the late Queen Victoria.

BALTIMORE, Oct. 13.—Archbishop Kain of St. Louis is dying.

Archbishop Kain is only in his sixty-third year. He has been thirty-seven years in the priesthood, and twenty-eight years a bishop. Upon the death Archbishop Kendrick of St. Louis in 1896 he succeeded him.

NEW YORK, Oct. 13.—The floods at Paterson and Passaic, N. J. have done damage to the amount of \$4,000,000. Thousands have been deprived of work.

SOFIA, Oct. 13.—Desperate fighting is reported from Sdezli. The insurgents have killed 560 Turks with a loss of twenty-five.

JONES SAYS NOT GUILTY

Entered His Pleas Yesterday in Court.

Demurrer to indictment No. 101, against E. M. Jones for murder, was argued yesterday morning. Judge Gear at 2 p. m. overruled it. A. G. M. Robertson noted exceptions and then submitted without argument demurrer to indictment No. 102, which was also overruled with exceptions noted.

Deputy Attorney General Peters then moved that defendant be called to plead.

Jones, in a quiet tone, pleaded not guilty to each indictment.

Mr. Peters desired that a day certain be set for trial, to which Mr. Robertson agreed. Monday was appointed for setting the day.

The demurrers overruled yesterday were in part based on the misspelling of the word premeditated, which was written "premeditated."

THE LAKE CASES.

Henry Hogan, attorney for J. W. Lake, separately indicted for selling liquor without a license and for keeping a disorderly house, made an earnest appeal to the court to allow his client to go on his own recognizance until Monday. He said Lake's friend whom he expected to go his bondsman lived at Aiea and it would be too bad to lock defendant up in jail over Sunday. Defendant was "only charged with a dozen bottles of beer," Mr. Hogan pleaded, causing a general smile.

Mr. Peters for the Territory said it was unfortunate for the defendant, but there was no reason why he should be treated differently from other persons under indictment.

Judge Gear could not see how the court could make the distinction requested, as the Attorney General's department refused consent and Lake's bail was much less than the maximum penalty. Indeed, in the liquor case, it was only half the amount fixed in the case of Simoes, charged with the same offense.

Bail in both cases amounted to \$250.

LULIA LOSES LAND.

The ejectment case of J. O. Carter et al., trustees of the estate of Bernice Pauahi Bishop, deceased, against Lulia (w.), was given to the jury at 1:30 yesterday afternoon. After an absence of nearly an hour they returned a verdict for the plaintiff. Mr. Withington made a remark about polling the jury. Judge Le Bolt said that it was not usual to poll a jury excepting in criminal cases. Mr. Stanley for the plaintiffs said he had no objection. Mr. Withington then contented himself with noting exceptions and giving notice of motion for a new trial. The property in question is in Wyllie street and worth from \$1500 to \$2000.

Peabody vs. Judd et al., action to quiet title, was still on before Judge Robinson yesterday.

OBJECTIONS TO DOWER.

James Hoare, a creditor of the late Antonio Rosa's estate, has by his attorneys, Kinney & Ballou, filed exceptions to the report of J. L. A. Long, the commissioner to determine dower. In the first place, he says the commissioner has wrongly measured dower to the widow, Helen N. Rosa, in that she had elected to take under the will of her husband, as his sole devisee, and therefore was not entitled to dower. In the next place, the commissioner had wrongly measured dower in that he had included in the dower the full value of lands that were mortgaged at the time of Antonio Rosa's death. In a mortgage by Antonio Rosa and Helen N. Rosa to J. A. Maroon for \$5500, Mrs. Rosa had conveyed away her dower interest in such lands. Lastly, the commissioner had wrongly measured dower for the reason that the widow consented in writing, such consent being filed in the Circuit Court, to the sale of lands for the purpose of paying the debts of the estate, and for no other purpose. It is alleged that the sale of lands took place, under an order of the court, free and clear of all incumbrances and without any reservations as to dower or other interests. Also, that a petition to confirm the sale, with the consent in writing of Mrs. Rosa to confirmation, was filed by the executor, and the sale was confirmed by the court. It is contended that, by consenting to the sale without reservation and without making claim for her dower interest, also by waiting nearly three years after the sale before making any claim for dower in any part of the estate, the widow had waived her dower right in the proceeds of said lands.

TRUST FUNDS.

F. W. Macfarlane, trustee under the will of Adella Cornwell, has filed a request for approval of the investment of \$5000 in bonds of the Pioneer Mill Co., Ltd. F. W. Macfarlane and August Ahrens, guardians of George Richardson, a minor, request approval of the investment of \$5000 in the same security. In each case there is appended a statement of the status of Pioneer bonds, showing that out of an issue of \$1,250,000 only \$240,000 worth of the bonds remain unsold. The names of large concerns holding the bonds sold are given, and a schedule is presented showing the excess of assets over liabilities of the company to be \$2,426,458.

APPEAL OF POLICEMAN.

Ah On has appealed from judgment of \$1724 against him and in favor of Ah Hing rendered by District Magistrate Dickey. It was a suit on a judgment for damages for false imprisonment given in the Circuit Court, to which the case had been remitted by the Supreme Court after being appealed to it on a point of law. Defendant is a policeman and Auditor J. H. Fisher

was summoned in the case as garnishee. On the latest trial in the District Court, Judge Dickey denied a motion for nonsuit which had been made on the grounds "that Ah On named in the judgment sued on is not proved to be the same Ah On served in this case as defendant, and that a judgment in this case would be contrary to public policy and unconstitutional."

OTHER APPEALS.

William A. Hall has appealed from judgment for \$161.09 against him and in favor of George A. Davis rendered by District Magistrate Dickey. It was a suit for balance of an attorney's fee of \$1000.

Defendant in the case of Oki vs. K. Hoshina has appealed from judgment rendered by Judge Dickey in favor of plaintiff for \$103.55.

R. W. Davis has appealed from judgment for \$49.92 against him and in favor of J. A. Durant rendered by District Magistrate Dickey.

Daniel Kapea, who appealed from a fine of \$10 and costs in the District Court for using bad language toward Policeman Eugene Devauchelle, was released by Judge Gear under a nolle prosequi entered by the Attorney General.

JAP MURDERED IN KAU DISTRICT

Sheriff Martin of Kau writes of a murder committed on September 20, as follows:

"On Wednesday, September 20th, at about 10 o'clock in the forenoon, a Japanese was found dead on the road to Kona, about five miles on the Kau side of Kona and Kau boundary, by Kekaula and party. He reported the matter to me at about noon from Papa, South Kona. I called a physician to hold a post mortem and called a coroner's jury which viewed the body at about 4 p. m. We found that the wound was cut right through the man's skull starting from the left eye and running up to about an inch above the hair line. The brain was exposed and part of it fell to the ground. The cut looks as if it had been inflicted by means of a hatchet."

"Together with a police officer I searched the place where the body was found but no weapons of any description were found. I found a tax receipt on the dead man's person. It had been issued in Honolulu on Feb. 16, 1903, by James L. Holt to Matsuo, a Japanese, that his name was Matsuo. I also found \$5.85 in cash on his person and some letters addressed to different parties. None of them ever mentioned Matsuo or the bearer."

"The case is certainly one of murder. We have no clues as to what the motive was for committing the murder or who did it. The deed was done at a place about twenty miles from Waialeale. It was right on the road where it crosses the lava bed, where the road is made up of large loose gravel. We could not see any trace of footprints, nor of horses either. We have consequently nothing whatever to work on, but I hope we will find something soon."

"The inquest has not been held as yet as Kekaula and his party are at Kahala and we need their testimonies. We expect to hold it on Saturday, Oct. 10."

HIBERNIAN ORDER BEING ORGANIZED

Exotic patriotic organizations in Honolulu have at last been rounded off. The Irishmen having taken the preliminary steps toward instituting one of their oldest national societies. This is the Ancient Order of Hibernians.

A meeting well attended by Irish residents was held yesterday evening at the C. B. U. hall on the Catholic mission premises, at which temporary officers for a lodge of Hibernians were elected as follows: P. McInerney, president; Thos. F. McTigue, vice-president; E. D. O'Brien, secretary; John Lyng, treasurer. Mr. McInerney presided at this meeting.

Further details of organization will be advanced at a meeting to be held on the 21st inst. Until other arrangements can be made, the members will continue to meet at the C. B. U. hall. Permanent organization will await the receipt of the charter, for which a requisition will be sent to the Coast by the next steamer.

JAPS INDULGE IN A FREE-FOR-ALL

Three "amusing" little Japs" entertained a drinking bout last night in a Japanese lodging house by having a free-for-all fight, and after it was all over, save succoring the wounded, one Jap was taken to the hospital to have a gash in his cheek, inflicted with a knife, stitched up and two found resting plates overnight at the Police Station.

Two Japs at the lodging house became pugnacious and had a lively scuffle. The proprietor endeavored to break them apart, when Kodomo, well known to the police, jumped into the melee with an open knife and used it on Eiyamoto. The blade laid open his cheek from below the eye almost to the ear. The police were called but the knife-wielder had escaped before their arrival.

Sugar on Hawaii.

Purser Beckley of the Kinuau reports the following sugar on Hawaii ready for shipment of date of October 8: Oiaa, none; Waiakoa, none; Hawaii Mill, none; Waiakoa, none; Onomoe, none; Pepeekeo, none; Honouliuli, none; Hakalau, 100 bags; Laupahoehoe, none; Ooakala, none; Kukui, none; Hamakua, none; Panahau, none; Honokaa, 2880 bags; Kukuihaele, none; Punaluu, 10,000 bags; Honouliuli, 753 bags.

GREAT GLOW OF LAVA FLOW GRAND SHOW

Miss Paris Writes About Bright Spots of Fire Seen From Kona.

Letters and reports received yesterday seem to indicate that the grandeur of the Mokuawewe eruption is shared generally on Hawaii, the reflection being seen from the Volcano House, Hilo and the Kona side. The manager of the hotel at Kilaeua announces that a party has started for the summit in clear weather.

Miss Anna M. Paris, in a letter to Mrs. Harriet Castle Coleman, announces that she obtained a magnificent view of the eruption from the rear of her house, situated on the Kona side of the mountain. This communication, reproduced herewith with a letter from W. F. Reynolds, once a resident of lands largely affected by the volcanic disturbances, tends strongly to corroborate the theory advanced by Joseph S. Emerson in Friday morning's Advertiser that the flow will break out upon the Kona side of the mountain at the place of least natural resistance.

SEEN FROM KONA.

Following is the letter from Miss Paris to Mrs. Coleman:

"Kealahou, Kona, Hawaii,

"October 7, 1903.

"My Dear Friend: You will probably hear about the new outbreak on Mauna Loa by the Wireless, but I send a line just to let you know what I have seen."

"It was in all its glory last night, a magnificent glow at the summit crater, back of the house, and other bright spots farther down, showing that a stream was going down the mountain. The flow appears to be a little this side, but just where nobody knows as yet. Several have gone tonight and we shall look anxiously tonight to see where the light is. There must be a grand display of fire at the summit crater, judging from the light."

"How I would like to see it at close range, but unless the stream should come this side to the sea I don't believe I shall get to the real fire, but it is thrilling to see it even as we do."

"It has all been so quiet lately. No earthquakes as yet. If the flow should stop suddenly we may expect them, but it will not but will give some much-needed chance to view Pele in all her glory."

"We were wildly excited last night, it looked so near us and so different from any ordinary fire."

"Yours sincerely,

"ANNA M. PARIS."

This interesting communication from Miss Paris would appear to dispose of the negative evidence published yesterday, to the effect that no fire was visible from Greenwell's and therefore there was none on the Kona side.

"The bright spots" seen by Miss Paris on Tuesday night must have been of burning lava in its course down the slopes of Mauna Loa.

Mr. Reynolds' communication, advancing views practically in harmony with Mr. Emerson's reads as under:

ISSUE EXPECTED AT KONA.

Editor Advertiser: Perhaps a few words from one who has lived on the lands largely affected by the volcanic disturbances of the far famed Mokuawewe may not be out of place.

Mr. Emerson is quite correct in his statement in your today's issue as to point of advantage and a reference to Mr. H. M. Whitney's notes on the 1903 flow will bear this statement out.

With regard to the flow of 1887, similar conditions exist now. When the first indication of an eruption occurred on Mauna Loa, it was at first brilliant and then subsided only to break out later in the serious flow from under the woods of Kahuku. It then divided itself into two streams of lava covering thousands of acres and destroying much property. Strangely enough the enormous force behind this flow discharged all the lava out of a space not much larger than the front of the Advertiser building and this can be seen today about two miles mauka of the ranch of Kahuku.

There is no doubt in my mind that although there is an apparent lull for the present, indications point to a large lava flow at some point near the 2500 foot level which will be a sight well worth looking for. Whether this flow will follow the same course as the old flows of 1885 and 1887 is difficult to conjecture, but my information leads me to the opinion that it will find a weak spot nearer Kona.

W. F. REYNOLDS.

St. Clair Biddood, manager of the Volcano House, furnishes a description of the view from Kilaeua at midnight on October 7th, which leaves little doubt as to the magnitude of the outbreak.

GRAND SIGHT FROM VOLCANO HOUSE.

Volcano House, Oct. 7, 12:30 a. m.

Richard H. Trent, Honolulu. Dear Sir: No doubt there is much excitement in Honolulu by this time, and there is good reason for it. The outbreak is no "fake" this time. As I wired you, it started at 12:45 this p. m. without any warning—no earthquakes or reports, but a very large column of smoke, not steam, shot up many hundred feet and spread out like a great umbrella, and continued so until dark, when the beauty and glory of the scene burst upon all on the other side of the island, it being cloudy on our side, but we were not deprived of the sight for long. At 9:15 the clouds broke away, and then—such a sight.

It was, and is still, too grand to try to describe.

Mr. Monsarratt and several others say: "There is a great flow of lava in the crater of Mokuawewe, and it is sure to break out and flow down the sides of the mountain." The reflection has been seen from many points on the island. I have been kept at the telephone most all afternoon and evening.

If it continues (and all the old timers think it will) we will have an "old time" rush at the Volcano House. Many are coming up from Hilo and along the line tomorrow and no doubt there will be special steamers from Honolulu.

ST. CLAIR BIDDOOD.

HILO SEES THE REFLECTION.

The following telegram was received from the Volcano House yesterday, sent to Richard H. Trent:

"Summit crater still active. Reflection seen from Hilo and many other parts of Hawaii. Splendid view at Volcano House. Party started for summit today. Views from Halemaunui indicate disturbance. Weather clear."

"ST. CLAIR BIDDOOD."

JUDGE WEAVER DONS HIS TOGA

Judge Weaver of the Torrens Land Court formally opened his court yesterday morning, and his office is now ready to transact any business relating to land under the new law. The following order was promulgated:

"Whereas the rules and forms for procedure have been duly approved and printed and the proper officers have duly qualified under the Land Registration Act,

"Now, therefore, it is hereby ordered, that the Court of Land Registration be open for the transaction of business from and after the date hereof, and that all hearings, before the Court be had on Tuesdays and Thursdays at 1:30 p. m. until further order in the premises. By the Court:

"WILLIAM SAVIDGE,

"Register and Clerk."

SHOULD DEBARK AT KEALAKEKUA BAY

Surveyor Baldwin of Hawaii who has visited the volcano, now in eruption reports that the lava is flowing from the Kahuku side of the old Mokuawewe crater, but lower down, and is getting down into the Kahuku district.

It is understood from this report that the best and quickest way to get to Mauna Loa is by debarking at Kealahou Bay, from which place to the summit it requires ten hours' climbing.

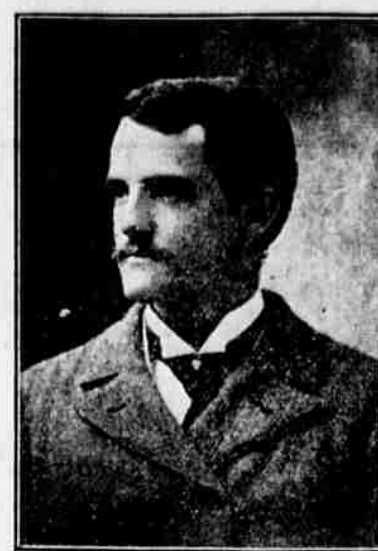
ERUPTION UNLIKELY AT SUMMIT CRATER

Ordinarily lava does not issue from the summit crater and flow down the side of Mauna Loa. In 1832 there was a short flow which began about a thousand feet below the highest elevation.

At another time there was an outbreak about one hundred and fifty feet from the crater but the flow was of such short duration as to be scarcely worth mentioning. The present flow, according to the statements of men who visited the place, begins right at the crater of Mokuawewe. After leaving the crater the lava struck level ground and divided as it always does into, what appear to be, separate flows. This time there were six on Tuesday night but on Wednesday morning some of them had drawn together. It is impossible for anyone to tell the duration of the present flow. The flow of 1881 lasted nine months while there have been others that did not last more than nine days and others still which lasted not more than that many hours. The a-a flow, as this one is, moves slowly. It is probably scoria and does not make a crust nor does it flow as rapidly as pahoehoe. The latter variety flows, stops and then tunnels under and apparently makes a fresh start; it moves in a body, a huge rumbling mass which can be heard for a long distance as the lava hardens and crumbles together. Hilo is in practically no danger from pahoehoe flow owing to the conditions.

There have been such flows in the district within the recollection of even young residents but they moved slowly and the inhabitants were not in danger. The flow of '81 was pahoehoe over an old a-a flow and there are places on the line of it where the stream divided and left islands of a-a. As a tourist bringer the volcano is Hawaii's long suit; the grandest attraction in the world may be witnessed with absolutely no danger to the visitor. Unlike Martinique the guest at the hotel is not overcome with sulphur fumes or buried in volcanic dust. Here in Hawaii hotels are built where they will command the finest view, not of mountains and harbor, but of the molten lava as it streams down the mountain side or bubbles in magnificent fountains from the center of the crater. Old residents believe that the present flow will amount to something before it is finished. If it is not too late; mention of the outbreak might be made in the tourist book now being printed for the Promotion Committee; it would be timely and would bring good results. Allah is Great!—Hilo Herald.

NOMINEES FOR OTHER COUNTIES



A. N. Hayselden, candidate for Board of Supervisors on Maui. He was born at Lahaina, Maui, in 1874, and has been in the employ of the Hawaiian Government for thirteen years, as teacher in the Government schools, postmaster at Lahaina, Maui, deputy sheriff at Lahaina, Maui, and then deputy sheriff of Maui. He resigned in March, 1902, to take up the practice of law at Lahaina. He is still located there and is Territorial Committee member for the Republican Party. Mr. Hayselden has been a strong Republican from the first.

HACKMEN OUT FOR A. M. BROWN

Honolulu, Hawaii, Oct. 9, 1903.

Editor Advertiser: At a regular meeting of the Honolulu Hackmen's Union, held at Brooklyn hall on the above date, the following resolution was adopted:

Resolved, that this Union as a body of organized citizen do endorse the Hon. A. M. Brown for Sheriff of the County of Oahu, we believing him to be honest and competent to fulfill the duties of said office; and be it further

Resolved, that we give him our united and individual support, and that we are every fair and honest means in our power to elect him, and requesting all good citizens to do the same.

THE HONOLULU HACKMEN'S UNION.

By the President, John Maguire.

Secretary, J. E. Harrib.

AXTELL CITES EX-PARTNER

Upon application of the plaintiff in the action of J. C. Axtell vs. H. E. Hendrick, in which he states that he obtained a judgment in the Circuit Court for \$5000 damages, and he is informed that the defendant has debts due and owing him, Judge Robinson has issued a citation ordering the defendant to appear before him on Monday, October 12, at 9 a. m., to be orally examined as to any and what debts are due and owing to him.

Teacher Resigns

Miss Lucy Adams has resigned from the position of teacher of English and History at Oahu College. Her resignation goes into effect December 31, having been accepted by the Trustees "with great regret." The ill health of Miss Adams caused the step.

HASSON SAW THE DANGER

As Electrical Inspector He Reported Place Hazardous.

Commander W. F. C. Hasson, instructor in the Naval Academy, Annapolis, Md., in a recent letter to the editor of the Advertiser says:

"I note in one of the late Hawaiian papers the killing of a Chinaman by a falling wire at King street bridge. That the victim happened to be a Chinaman is of course mere chance. I know that you took a personal interest in the question of the proper supervision of electrical construction, in Honolulu.

"In the unpublished details of inspection, filed in the Department of Public Works, will be found a record of the conditions at the point where the accident happened. From Mr. Gurrey, secretary of the Board of Underwriters, may be obtained details of a partial inspection of electric wiring Ewa, at Fort street.

"Unless the Telephone Company has removed the dead wires which encumber the streets, there is chance for many accidents when the rainy season begins.

"You will understand that I have not and will not have any further personal interest in this matter, but I regard it as a piece of unfinished work. The plan for a perfected system of construction and inspection of electric wires as laid out by Mr. James H. Boyd, former Superintendent of Public Works, was good."

The letter from which the foregoing extracts are taken was shown to Superintendent Cooper and Mr. Gurrey, who corroborated the statements referred to them though unable, at the moment each was seen, to lay their hands on the particular details mentioned. Mr. Hasson's reports as electrical inspector here were exhaustive, covering the files in the offices of Public Works and Underwriters.

"Every word of that is dead correct," a member of the Legislature said when shown the letter. A prominent official said: "The Legislature lost a good man to the Government when it cut out Mr. Hasson, although its action has indirectly proved a good thing for him."

MAY BE USEFUL HINT FOR HAWAII

According to the American Consul at Tahiti, the export of vanilla beans from that place to San Francisco has fallen off on account of the poor quality of the beans sent to America. Small merchants in Tahiti like to procure this sort of merchandise from the natives, because they can send it to San Francisco instead of money, to pay for other things. However, the traders are so careless in their curing methods that the product is often unsatisfactory.

Mr. Doty, the consul, has attempted to organize a plan for inspection by local officers, and for the attachment of a seal to their reports on the grading of the same. His efforts have not met with favor by the government of the colony, though some of the dealers and planters perceive the merits of the scheme. A few of these, at least, are trying to retrieve the reputation of Tahiti by exporting only the very best beans. A special caution to buyers is contained in the following passage in Mr. Doty's recent report:

"It is possibly my duty, although an unpleasant task, to state for the benefit of importers of vanilla beans from Tahiti, that they should be very careful to examine closely any beans that they have reason to suspect have been cured by Chinamen here. To my knowledge the Chinese traders are accustomed to pick up beans cast away by others as utterly unfit for market, soak them in salt water or let them remain for a time in coconut oil, and then pack them in the bottoms of tins containing better grades. Chinamen will buy even mouldy vanilla beans and so scatter the bad ones among good ones as to avoid ordinary scrutiny."

The Americanized music for "America," reprinted lately by the Advertiser from the Ladies' Home Journal, has taken hold in Honolulu. Mrs. Yarnley has been teaching it in the schools, so that it is now familiar in many homes. Last night a lady telephoned to the Advertiser office to ascertain if copies could be furnished for use on Thanksgiving Day.

THE BEST TREATMENT that can be given cuts, bruises, sprains, scalds or like injuries is a free application of Chamberlain's Pain Balm. It allays the pain almost instantly and should always be kept on hand. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

INTENT OF ADVERTISER NEWS ITEM MISTAKEN

**Jurymen are Offended—Judge Gear Connects
With Former Article—Attorney-General
Finds Nothing Wrong but Headline..**

sault and battery was resumed before Judge Gear yesterday morning, the proceedings were checked at the outset by the objections of some of the jurors to the notice the case had received in that day's Advertiser. They did not like the report of the beginning of the case, subheaded "The When the trial of Kamuela for assault and battery," which read thus:

"Kamuela was put on trial for assault and battery. Ella Long appeared for defendant. When his challenges had been exercised, only one white man was left on the jury. This was Carl Willing."

When the Attorney General, who was called in about the matter, failed to admit seeing anything important in the article, his attention was called to a section of the heading of the article, which ran thus: "Color Line Drawn Empanelling a Jury."

COMPOSITION OF JURY.

The jury sworn the previous evening to try the case consisted of Sol. Peolow, J. K. Clark, E. K. Rathbun, J. P. Makalinal, Carl Willing, J. S. Low, D. Kawananakoa, F. J. Robello, I. H. Wise, L. P. Fernandez, A. A. Montano and J. L. Aho.

Those excused before this jury was found satisfactory were J. F. C. Abel, L. R. A. Hart, J. H. Boyd and Charles Notley.

PRINCE DAVID COMPLAINS.

Prince David Kawananakoa started the ball rolling, which caused a suspension of the trial until Monday by calling attention to the article in the Advertiser. He felt that it was improper for a newspaper to comment on a jury engaged in trying a case, and although the case had gone half through he felt his opinion was settled and he could not sit longer on the case. He thought the phrase, "only one white man" was an insult to the rest of the jury.

THE COURT SPEAKS.

Judge Gear was sorry to see the course taken by the said newspaper, and referred to an article in the paper a week ago last Sunday, which said no native jury ever convicted a native, and about which a judge sitting with him commented. The court concluded:

"I cannot blame the juror, nor he jurors, for taking offense at the article. It shows to what lengths the newspaper will go when there is nobody to restrain it. They would call this judge to account I suppose, but this judge did not draw the jury. The First Judge of the First Circuit Court drew all the jurors, and the jury was drawn by chance or lot. The jurors in the Hawaiian Islands almost consist mostly of Hawaiians, because of their numerical numbers, and for any newspaper to make comments such as are made shows a want of intelligence, politically at least, that you would not expect from that source."

"This matter having been brought up by one of the jurors, it seems to me proper for the Attorney General's Department to take cognizance of the fact."

MR. FLEMING CONCILIATORY.

Mr. Fleming: If the Court please, I wish to say no one regretted the article in the paper more than I did this morning, because no such consideration influenced me in any of my challenges, and I do not think Mr. Long was influenced in any of his challenges by any such consideration as appears in the paper this morning. The jury is perfectly satisfactory to me, and I believe they will do justice between the Territory on the one hand and the defendant on the other. I do not think it is a matter that should be brought up. I am satisfied with the jury, satisfied to go ahead, and have no criticism to make on it.

The Court: That is not the question, Mr. Attorney General.

Mr. Fleming: I will refer that to the head of my department.

The Court: Let it be referred now; have the head of the department over here.

DEBATE PROCEEDS.

Mr. Montano read the article and said he was sorry the paper did not mention what color. It was an insult to himself and the rest of the Spanish nation unless the newspaper apologized. He considered it an insult to all Hawaiians.

Attorney Long considered the article was directed more toward him than anyone else. For what reason he did not know, as he made it a point to be as fair as he could. His challenge of Mr. Abel was the suggestion of his client. He thought for the paper to accuse him of drawing the color line had prejudiced the entire jury, so that they would be unable to finish the trial. There was but one course, which would have to be determined by the presiding judge.

Mr. Fleming said Mr. Long had discussed the case with him, when it was agreed no reflection on the jury was intended.

Mr. Long raised the question of whether, after what happened, the jury could acquit the defendant in case of the benefit of a doubt.

Judge Gear told the questioner he need not argue that point, because the jurors said they could not act with the same unbiased feeling as they could before reading the article. He referred again to the Sunday article.

Mr. Wise uttered the thought that "the Advertiser wanted the Advertiser gang to run the court." It would suit them better he said. Judge Gear responded, "they will not run this Court," to which Mr. Wise assented, "We know that, your Honor."

ATTORNEY GENERAL CALLED.

Judge Gear referred to the satisfaction of both sides with the jury, but said the matter was now in a position where it could not go on. He had no idea the jurors were going to speak about the article, though he could not blame them for doing it. Therefore he called on the Attorney General to take the matter in hand, saying:

"The Court, of its own initiative, has had to do disagreeable things, because it has been more maligned than any court has been in any land, but it does not at all affect me; I consider the source; but if courts of justice are going to exist in this community, they should be made to exist without such attacks as that, or we cannot have justice."

Mr. Montano said he had spoken to the Attorney General, who said it didn't amount to anything and was only newspaper talk. Mr. Montano, however, thought it was very impertinent to the Hawaiian and Spanish nations.

Judge Gear again spoke in justification of the attitude of the jurors, concluding with the remark:

"These jurors are here sworn on their oaths to do their duty as citizens, and unless the community at large or the community representing this paper are prepared now to insist that Hawaiians should be disfranchised and not allowed to be jurors, it is time to put a stop to these proceedings."

ATTORNEY GENERAL APPEARS.

Attorney General Lorrin Andrews appeared at this stage and Judge Gear forthwith related to him the gist of the morning's proceedings, connecting the cause thereof with the Sunday article. He ended with this monition:

"You, as the Territorial officer representing the Attorney General's Department, the burden comes on you to take such steps as you may deem necessary."

"What portion of the article did you find affects the jury?" the Attorney General asked.

"I referred to no portion of the article," the judge answered.

"To the whole thing, from the heading down to the bottom of it—the whole statement," Prince David explained.

Judge Gear again upheld the position the jurors took. He supposed the paper had not attacked him because he had not drawn the jury.

MR. ANDREWS WILLING.

Mr. Andrews said: "The Attorney General wants to do what he can. Mr. Long has called my attention to the headline, which seemed to him to be an objectionable one. In the body of the article I see nothing that was in that important, but in the matter of the headline, I will see what can be done."

FROM PERSONAL STANDPOINT.

Judge Gear replied to the Attorney General in the following strain:

"I do not wish you to do anything except of your own responsibility. I called it to your attention as an officer of the Government whose duty it is to prosecute such cases, and see that there is no intimidation or insinuation by newspapers. But it seems to me it is about time, Mr. Attorney General, from a personal standpoint if you want to take it that way, it is about time as far as the right of justice is concerned, unless this paper and the people behind it are ready and willing to come out now and insist that the franchise be withdrawn from any such statements as these. This is a case we have on all day yesterday, and now we have brown away all this time; the jurors are not satisfied to sit on the case, and the administration of justice has been interfered with, and the Court will call your attention as an officer in that Department, whose duty it is to see that the administration of justice is not interfered with, and to take such steps as you may deem proper."

Responding to the opening remark of Mr. Wise, in a considerable address, to the effect that the article hurt him most where it implied that the rest of the jury, not being white men, should not sit on the case and that white men were the only capable people to try cases, Judge Gear remarked:

"I believe that is the belief of that paper."

SPEECH BY WISE.

John H. Wise said: "We all know that the Advertiser has been running the country since 1893, running the courts before your honor came to the bench, and actually they were losing a little power after you came to the bench and other men of your stamp, and therefore wish to have the same old regime come back; and that is the state of affairs that the officials of the country wish to have, why I would go to jail again for ten years; I have been there one year to try to put these men out. I think it is a reflection not only on the character of the natives but on the people at large. I for one won't stand it, whether or not it comes from Thurston or any of that clique. I am an American citizen now, and am going to enjoy the privileges, and for people of that character to come up and say I am not fit to judge anybody, and but while men should sit in the courts, and do justice, and if the kind of white men that the Advertiser wishes to disfranchise the Hawaiians I believe we should leave the country here to them and go somewhere else; and I feel that justice should be done to his Honor."

Attorney General Andrews said: If the Court please, I don't know whether there is any insinuation that the Attorney General's office has anything to

do.

(Continued on page 7.)

UNDERGROUND WIRES AND BIG RESERVOIRS

New reservoirs are to be constructed for the Honolulu water system on a scale that will make the existing ones look like duck ponds in comparison.

Borings are in progress to find bed rock upon the site of Nuuanu reservoir No. 4, for which \$75,000 was appropriated by this year's legislature out of the loan funds. The capacity of this reservoir is to be four hundred million (400,000,000) gallons. It will conserve for dry periods that quantity of storm water, which otherwise would run wastefully to the ocean. Also it will end water famines on the upper levels.

Plans for the reservoir at Kalihi, to have a capacity of 4, 773,000 gallons, are in course of preparation. The appropriation for this work, also loan fund, is \$50,000.

Plans for electric wire ducts are nearly ready in the office of the Deputy Superintendent of Public Works, Marston Campbell, and when they are completed Superintendent H. E. Cooper will look around for a contractor to undertake the work. These plans are for the first section proposed to be constructed, which lies between Nuuanu and Richards streets, and Beretania street and the waterfront.

Mr. Cooper hopes to be able to make arrangements with the Rapid Transit Co., the Hawaiian Electric Light Co., and the Government Electric Light Station on the one hand, and the Mutual Telephone Co. and Fire and police alarm on the other, to have all their electric conductors go into the ducts. Those mentioned first, having high power wires, will have a duct on the opposite side of the street from those mentioned in the second category, having low power wires, as it would make lively electrical war to place them together.

Plans for the Royal School have been sent by the Department of Education to the Department of Public Works. The new dispensary plans have been completed.

Lumber for the Oceanic wharf shed is on the ground.

While it will be impossible to undertake in a heap all of the public improvements planned, yet the object of the department is to have things ready to go ahead as they are reached and funds therefor obtained.

JAPANESE ROUTS HOODLUMS WITH HIS WOODEN SHOE

A Japanese storekeeper on King street, Ewa of the rice fields in Palama, took the law into his own hands last night to defend himself from the depredations of a gang of Portuguese hoodlums, and as a result a young Portuguese boy was sent to the Queen's Hospital in an unconscious condition and suffering from two severe gashes on the top of his head made with a wooden shoe. After being taken to the hospital the electric battery was used on the boy to bring him to his senses. The wounds may result fatally. The Japanese, Hiroaki, is under arrest, and his wooden shoes, one soaked with blood, are held at the station as evidence.

Hiroaki had been annoyed during the evening by the gang's hoodlum acts. The boy who was struck was especially annoying, and had been warned several times to keep out of the store. It is said also that the boy stole certain articles. At last the two came to blows—the shoe came into play, and the youngster fell to the ground insensible. The patrol wagon was called and the boy taken direct to the hospital.

A white man called at the station and said that the gang was a particularly bad one, he also having suffered the loss of clothing through their depredations, and they had lately centered their attentions on the Japanese.

POLITICAL FAKES.

The fake attempt to do politics in Judge Gear's court room on Friday last must have been amusing to the readers of the Advertiser, who are familiar with its habitual disregard of racial diversities, which constitute the only available capital of the Home Rulers. Two or three extracts from recent editorials should have been read and digested by members of the jury, who interjected stump speeches into the bowels of a law court.

For example: "The native population is exceptional in its qualifications and is in no sense to be classed with the inferior races."—"Under the Constitution of the United States, a native citizen or a citizen of any extraction is equal before the law with every other American."—"He is literally and precisely on the same footing, in relation to his personal rights and his capacity of acquiring and using property, as the president."

This is the platform of the Advertiser, which never refers to a man's color as a badge of either inferiority or distinction. The Home Rulers, however, seize every possible opportunity to make discriminations against Americans who are not natives and brought up in the full effulgence of the extinct monarchy.

Friday's fake was a razzle-dazzle in its way. There was nothing in the Advertiser's report of the trial in progress to cast any reflection upon the jurors, and only an error of fact that was harmless. But some of the jurors thought that, after reading a newspaper heading, they were incompetent to render a just verdict. This was probably an unreasonable criticism upon themselves, for a man whose decision of a case, under his oath, could be even affected by journalistic criticism, would be unfit to serve as a juror anywhere. A citizen of that calibre would be a long way below par. We do more justice to the jurors than to endorse this self-depreciation.

Evidently the plain duty of any judge, who did not regard an extra judicial sensation of a very limited size as a tit-bit, was to have bluntly stopped the waste of time, to rebuke an attempt to manufacture political capital in a court room, and to direct the prompt resumption of trial. The article complained of was not before Judge Gear. It did not bear the absurd construction placed upon it. It was not testimony in the cause, which the jurors had sworn to decide according to the evidence and the law. The interruption of the proceedings, therefore, and the columns of swash which followed, were merely twaddle and a caricature of orderly procedure.

WAR TALK IS NEARING ACUTE STAGE IN JAPAN

**Nation Demands That Russia Fulfill
the Pledges Regarding
Manchuria.**

YOKOHAMA, Japan, Oct. 9.—The tenor of today's press in Japan shows intense feeling in regard to the Manchurian situation. Conservative newspapers demand that the government insist that Russia fulfill its pledges regarding the evacuation of Manchuria. Naval officers have been in conference regarding proposed war plans.

Many wealthy Japanese are offering to subscribe towards a war fund.

ST. PETERSBURG, Russia, Oct. 9.—But little war feeling is manifested in this capital. Russians are taking the Far Eastern crisis very coolly.

OLD SHIP WRECKED AND ONLY THREE MEN SAVED

LONDON, Oct. 9.—The ship Benjamin Sewall has been wrecked on the Pescadores. Only three of the crew were saved.

The ship Benjamin F. Sewall was a well known old ship that had seen her best years some time ago. She was not one of the line of Sewall ships that have been trading to Hawaii but sails out of Boston and the interest in the vessel which is not owned by her master, Captain Halsted, is owned by a Boston firm. Captain Halsted has had the Sewall in all sorts of difficulties. The vessel has been ashore many times, has been in a great deal of trouble at sea, and was regarded as hoodoo vessel, as she seldom arrived in a port and got away again without being mixed up in the courts. The vessel was of 1320 tons.

The Pescadores are a group of small islands, surrounded by many reefs, and situated in the Formosa Strait, lying almost midway between Formosa and Amoy, China. The place is in the typhoon track and the Pescadores have claimed many wrecks during recent years. These small islets formerly belonged to China but are now the property of Japan.

The Benjamin F. Sewall was at Singapore on the first of September.

The ship Benjamin Sewall on December 29, 1901, put into Honolulu in distress while enroute from Port Townsend to West Australia with a cargo of lumber. The vessel was leaking. Captain Halsted remained here repairing for about three weeks and then sailed for Australia.

The above cablegram seems to indicate that Captain Halsted lost his life in the wreck on the Pescadores.

CHEEFOO, China, Oct. 12.—It is believed here that hostilities between Russia and Japan are imminent. The naval forces of both Japan and Russia are now placed in advantageous positions in preparation for a quick strike in the event of war.

LEXINGTON, Ky., Oct. 11.—Lou Dillon, the horse that broke the trotting record, has now broken the wagon record in 2:01 3-4.

Lou Dillon is the great animal, which at Readville Track, Mass., on September 24, lowered the world's trotting record to two minutes. The best previous record for one mile, trotting to wagon, was made by The Abbot four years ago, the time being 2:05 1-2.

PARIS, Oct. 11.—It is believed that, in the event of war, Japan will strike the first blow. It is denied at the Japanese legation that Japan has already landed forces in Korea.

PATERSON, N. J., Oct. 11.—The damage done by the flood in and about this city amounts to \$2,000,000.

NORFOLK, Va., Oct. 11.—Three wrecks are reported on the Virginia coast. Several lives were lost.

VIENNA, Oct. 11.—The Czar will not visit Rome on account of his fear of the anarchists.

SOFLA, Oct. 11.—Further mobilization of troops has been ordered.

BOSTON, Oct. 11.—The widow of Evangelist Dwight L. Moody is dead.

IROQUOIS MAY NOT GO TO MIDWAY GROUP UNTIL APRIL

The Iroquois's next regular cruise to Midway to pursue the same astronomical researches. He stated that Mr. Morse was due here about October 16, and may perhaps arrive in the Ventura. Mr. Wright requested that the Iroquois's departure be delayed until his arrival so that he could be taken aboard.

Capt. Cowles of the Bureau of Navigation on receipt of the recommendation said he had no official notice of the proposed visit of the Iroquois to Midway. The Secretary of the Navy referred the matter to Admiral Terry who in turn passed on the recommendation that the Iroquois's departure be delayed until October 16. As the cruise first proposed has already been abandoned, and further as it is not deemed wise at this time of the year to go to Midway in a vessel the size of the Iroquois, the matter stands as before the cruise was projected. Mr. Morse will probably arrive here this week, but may have to forego his visit if he depends on being taken to Midway on the Iroquois.

Hawaiian Gazette.

Entered at the Postoffice of Honolulu, H. T., Second-Class Matter, SEMI-WEEKLY. ISSUED TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

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Per Month, Foreign \$ 5.00
Per Month, Foreign 75
Per Year, Foreign 5.00
Payable Invariably in Advance.

A. W. PEARSON, Manager.

TUESDAY : : : OCTOBER 12

FRIDAY IN COURT.

The Advertiser confesses surprise at the attitude of the Kamuela jury towards the following item which appeared in the court notes of this paper yesterday, under the caption of "The Color Line."

"Kamuela was put on trial for assault and battery. Ella Long appeared for the defendant. When his challenges has been exercised, only one white man was left on the jury. This was Carl Willing."

Since learning the names of the jury-men the editor finds that his reporter was in error in saying that but one white man was left. There were two, for Juror Montano, notwithstanding his dark complexion, is one of a race which has not been classified other than white. The corrected statement is that the jury stood ten Hawaiians to two white men, a proportion which cannot be regarded as fair. In the interests of justice it would seem as if both races should always have proper representation in the jury box. It may be assumed that a white man is as competent for jury duty as a Hawaiian so long as he behaves himself.

Looking at the item complained of it is impossible to see how any Hawaiian juror could stand up, with a straight face, and say that the reading of it had disqualified him to sit in the pending case. In the paragraph complained of, no opinion was given as to the merits of the court proceeding. The probable guilt or innocence of the prisoner was not mentioned. No misleading statement was made save the minor and immaterial one about Mr. Montano. As for the row made over this small item, such a thing would not have been permitted to disturb business in any other court than Gen's. The occasion was trivial; the subsequent grand stand play ridiculous.

Regarding jurors who urge that the bare and uncolored relation of a fact which of itself gave them no concern, so changed their mental attitude that they could not give the defendant a fair trial, all we can say is that they are either insane or childish. If insincere their obstreperous complaints and their refusal to do their duty should impel the court to punish them for contempt; if merely childish they have no business on the jury at all.

As for Judge Gear if he would spend less time in trying to pick flaws in the Advertiser and in doing cheap politics from the bench and more time in meting out justice to criminals, public respect for him would be much greater than it is.

TOWNSITE SWINDLES.

It is like a glimpse of old benedict days to read the story from Bakerfield, Cal., of the sale to Eastern men of paper town lots in a mythical Eden. Fifteen years or more ago the industry was as flourishing as the sale of salted mines had been a quarter of a century before. It was no uncommon thing to sell lots in a town site which was ten feet under tide water or on the steep slopes of some almost inaccessible mountain. The thing was done from a map by a glib auctioneer or through correspondence based upon a prospectus containing the names, as reference, of eminent public men.

Whether such names figured in the Bakerfield swindle we do not know, but probably they did. There is a class of men, high in official place, who are always willing to lend their names to get-rich schemes in return for paid-up stock. Quite lately a mid-Western Senator was accused of something of the kind. No one knows how far the influence of the names of several Senators and a First Assistant Postmaster General went when they appeared on the advertisement of a Mexican (Lower California) development company which, in 1888, sold worthless realty at a fancy price. But a multitude were duped. Such men have their counterparts in the British Lords, called "guinea pigs" who assist floatations. They are the decoys that lure the credulous to ruin. Without them the incorporated swindlers would find their tasks difficult indeed; for in spite of the fact that a fool is born every minute the number of people who will invest money with men they do not know at least by reputation is not large.

Andrew S. Wallace, postmaster at Opp, Alabama, jumped to the conclusion that the big postoffice fellows at Washington were as corrupt as the worst reports implied. Therefore, deeming it opportune to try for a better place than Opp, he wrote to Postmaster General Payne asking for transfer to the postmastership of Andalusia. He stated that, to compensate the Postmaster General for his trouble, he would pay him fifty dollars as soon as the order for the transfer was issued. Wallace obtained a transfer, but it was in the form of a warrant of arrest. The P. M. G. had forwarded his letter to the chief inspector of the Southern Division at Chattanooga, who caused his removal from the Opp office and his commitment to the United States Court at Birmingham. This recent story has several morals.

Hilo seems to be in a fair way of working up a profitable banana trade. With assured regularity of steamer transportation, the cultivators need only select the best varieties and adopt the most approved methods of culture and packing to make a good thing out of the industry.

THE BALL IS ROLLING.

It is an item of progress in itself that Hilo has an agricultural society of its own. Not so long ago the whole group had but one agricultural society, which for many long years was only heard from at its annual election of officers. It was exclusive, royal if you please, and representatives of the press were not invited to its meetings. Long ago it manifested signs of life by holding exhibitions at intervals of years in Kapiolani Park. No doubt the old society did some good, its period of usefulness being contemporaneous with the introduction of thoroughbred stock, horses, cattle and sheep, by King Kamehameha, Chamberlain Judd, W. G. Irwin, W. M. Gibson, B. F. Dillingham and others.

Though organized agricultural interests waned in the era of political reform, private enterprise kept right on and, with more or less public encouragement, brought stock raising, forage cultivation, dairy farming, horticulture and general agriculture, apart from sugar production, up to standards not to be despised. These various industries, besides largely supplying the home market, contributed quite respectably sometimes to the exports. Prior to the admission of Hawaii as a Territory to the Union, there was a tariff handicap upon some Hawaiian products which prevented their profitable marketing on the mainland. Now everything goes into the United States market free and the failure of the pineapple industry, for instance, is turned into success and great future promise. The fibre industry has been started, after years of talk and desultory experiment, with every indication of becoming greatly important.

It is incomprehensible, in view of the progress that has been made, how people continue to deride the cause of diversified industries and croak about there being "nothing in it." Taking a broad survey of the agricultural situation in Hawaii today, there is everything to encourage hope that before long the hackneyed taunt of having all our eggs in one basket will have its edge dulled for good and all. Forces of progress are mobilizing. We have organizations on Oahu and on the other islands to promote industries other than sugar. The Federal experiment station is working out problems for the small farmer as well as for corporate enterprise in new directions. Reorganized and subsidized by the Legislature, the Board of Agriculture and Forestry is working in conjunction with the Federal authorities. Intelligent and experienced farmers from the mainland are coming in by colonies, settlements and individuals. The irrigation question, where it exists, is being settled by systematic and modern methods. Several large schools, public and private, are instructing the children of the soil in agricultural art and science appropriate to local conditions.

If there is anything more truly alive in the Hawaiian Islands at present than the movement for complete development of the country's natural resources, the pessimists will have to climb the rugged slopes of Mauna Loa and look down into the furnace of Mokuaweoweo to find it. Plutonic fires are at the end of the pessimists' vision anyway, but fortunately his power of dragging everybody else to hades with him is limited.

OUR GAME RESOURCES.

If the wild dogs of Kau have got so that they attack and kill human beings on the highway the difference between them and the wolves of Russia is not great enough to warrant the government in letting them alone. They deserve to be cleaned out, if necessary by the grant of a bounty for each wild dog destroyed. The counties where such fierce animals are at large may well take the matter up when they are ready for business.

With wild pigs and cattle, deer and goats roaming the upland forests to the detriment of the young trees, and with the need of exterminating the pigs, cattle, deer and goats in case a system of forestry is devised, it might not be a bad idea to drop a line into the tourist folders about Hawaii being a sportsman's paradise. Hunters form no small part of the people who roam about the world; thousands of them are in the west on account of the game. Here there is good sport with just enough danger in it. Hide wild cattle and dogs, to add to the spice. Why not let the fact be known?

ARTILLERY TRAINING.

General MacArthur, commanding the department of California, in his annual report, says the importance of an artillery reserve for the Pacific coast cannot be overestimated, and he recommends that the entire organized militia of all arms located within easy distance of San Francisco be invited to participate in a course of coast artillery training at the Presidio.

The foregoing is from a late Washington dispatch. Hawaii is within easy distance of San Francisco. If the War Department choose to make it so, for the purpose mentioned by General MacArthur, by making the calling transport service available for carrying a contingent of the Hawaiian National Guard to the rendezvous. Perhaps two birds may be killed with one stone through making the visit of a Hawaiian company to the St. Louis Exposition fit in with artillery instruction of the same company at the Presidio. Coast guarding with artillery was early adopted by the National military authorities as the appropriate garrison service at Honolulu. This fact should suggest that a portion of the infantry strength of the Hawaiian militia might be transformed into the artillery branch. Besides giving variety, it would add to the effectiveness, in case of necessity, of the Territory's citizen soldiery.

The Bulletin, under the heading "Reconciliation," says that the Kuokas have "come back" to the Home Rulers. "Come" is good. Is the Bulletin getting ready to become a Home Rule organ in case there should be anything to graft on?

The Bulletin's cup is a harder trophy to lift than the international one. That's because it's nailed down.

Politics is a jury box needs men of sense to work it. Any bungling there is rather too glaring.

SUNDAY NEWSPAPERS.

Magistrate Gorman of Philadelphia has rendered a decision in the case against the employees of several of the city newspapers, the Union News company and the Crane Ice Cream company, who, it was alleged, had violated the "Sunday blue law" of 1794, which is decidedly refreshing. In an elaborate opinion, supported by many legal authorities, he dismissed the charges.

Among other things the magistrate finds that there is a defect in the complaint by the omission to aver that the publication and sale of newspapers on Sunday was not a "necessity" and "charity," that this omission is fatal to prosecution, and that if for no other reason he would be compelled to discharge the defendants.

"If it were necessary, however," he said, "to determine this question, I certainly should be inclined to decide it as a matter of fact only in the affirmative. Perhaps no enterprise, whether with a view of newspapers commercially or in a literary sense, has made such rapid and marvelous strides as the public press. It has kept abreast, and sometimes ahead, of the wonderful development of the commonwealth."

"It keeps men informed on every event of public interest and in a manner furnishes the only common channel of communication between the people. It watches with care over the conduct of our public officers and the manner of the performance of their duties. It molds, if it does not form, public opinion, upon public questions, and conserves the interests of citizen and public which it would be impossible to do in any other way. It educates, inspires patriotism, elevates and strengthens the love of home and country."

"In recent years the press has been of material assistance in apprehending notorious criminals and exposing crime and wrong in public and private places. It protects the weak, encourages the enterprising, and teaches lessons of morality to those who never hear the word of God except such as may be published in a newspaper."

"It is well known that there is a congregation of non-church persons to whom the newspaper addresses itself every Sunday and I have no doubt that a large number of citizens would dispense with some necessities to obtain their newspapers on Sunday, as well as on other days."

"For many other and equally good reasons the press is a necessity. I should consider it so even if I were not aware that at least 400,000 persons buy, and perhaps equally as many more read, this city's newspapers."

IN BUILDING MATERIAL.

In view of probable building activity consequent upon the opening up of new suburban tracts by the electric cars, the following description of improved concrete structural material ought to have interest for both contractors and owners of house lots. It is from a late Eastern exchange:

Partly in consequence of the growing cheapness of cement, partly as a result of the increasing confidence of engineers in its qualities and partly because the cement is sometimes reinforced with a network of steel embedded therein, there has been a remarkable increase in the use of concrete for building purposes in the last few years. Hitherto, though, this material has been employed in solid masses, whereas it is now proposed to mould it into hollow blocks, thus securing greater lightness, as well as other advantages.

According to Cassier's Magazine, houses constructed with such hollow blocks are in a measure highly developed examples of the remarkably durable adobe houses of Mexico and the Southwest of the United States, which, though built simply of large sun dried blocks of clay, appear as though hewn out of one solid mass, and have been found to successfully resist both great heat and heavy tropical rains. Walls built of hollow concrete blocks, and their inclosed air spaces, tend to keep houses warm in winter and cool in summer, and the only problem of satisfactorily building them has been that of cost.

This, however, we are told, has now been solved by a machine which turns them out quickly and cheaply, and in all desired sizes. The moulds are made with removable sides, and after the block of concrete has been formed, these sides are swung out of the way and the block can be lifted out and left to thoroughly set. Grooves and tongues can easily be formed in the blocks, enabling them to be rigidly tied together in building up a wall, and openings can also be provided in them to receive the ends of floor beams, the joints being subsequently filled with cement, if desired, to insure greater security. Many houses have of late been built with such blocks, and their popularity seems to be on the increase. In appearance such concrete block walls resemble masonry—in fact, the blocks can be fashioned after almost any desired pattern.

At a meeting held in Washington the last week in September, the general executive board of the Knights of Labor said things in resolutions adopted. Whereas its belief that President Roosevelt was "one of the best friends organized labor ever had in the White House," the board resolved, with regard to a reported movement of certain labor organizations and their leaders to have organized labor take up the fight of the enemies of the President, because of his action in the Washington Printing Office dispute, "That such action as is contemplated against President Roosevelt is one of the many errors and mistakes made by organized labor, as they seem inclined to ignore the rights of others, create strikes and make demands that are unreasonable, relying not on the justice of their contention or claims, but the amount of loss or trouble they can cause others, and to see what they can secure by depending on politicians and not on the justice of their demands." Thus advanced and intelligent labor walks the opposite way to that shown in the walking delegate's marching manual.

"I see that the superintendent of a cooking school has had to retire on account of her health."

"What is the matter with her?"

"Dyspepsia," Judge.

IS THE MANKICHI CASE OVERRULED?

The answer to this question is, that the Mankichi case could not be overruled by any less authority than that of the Supreme Court of the United States, by which it was decided. But it seems quite plain that, if Judge Gear's judgment, requiring all offences within the territory to be prosecuted by indictment on the ground that they are "infamous" within the Fifth Amendment to the Federal Constitution, be sound law, then the Circuit Court in Honolulu has at least attempted to reverse it.

It is true that the Mankichi case arose in the interregnum between the resolution annexing the Hawaiian Islands and the approval of the Organic Law. But the lay mind, on the facts, will not be able to appreciate any distinction on account of that circumstance. The local constitution and statutes, prior to annexation, allowed indictments to be found by a judge and verdicts to be rendered by nine out of twelve jurors. The Mankichi case turned on these provisions, which were repealed by the Organic Act. However, the statutes, which authorized defendants charged with minor offences to be prosecuted without indictment, were not repealed, but continued in force, and to them, therefore, the reasoning of the Supreme Court of the United States is distinctly applicable. Section 3 of the Penal Laws defines a "felony" or a "crime" as an offence punishable by death or by imprisonment for over two years or by the forfeiture of any civil or political right, and all other offences, except larceny, as misdemeanors. Subsequent designations of criminal acts are conformable to this fundamental distinction. Section 9 provides indictments in all cases not "within the jurisdiction of a Police Court or a District Judge." Section 52 discriminates between indictments, applicable to felonies or crimes and informations and complaints which cover lesser offences. Section 1 of Act 9 of the Legislature of this year authorizes the waiver of juries on all charges "less than felony," with the consent of the Court. There are many other sections of the statutes, relating to original jurisdiction and appeals in criminal matters, which rest on the elementary difference between offences that are "infamous" and those that are not "infamous," without which justice could not have been administered under the monarchy or the republic, and cannot now be successfully administered within the Territory.

The Organic Act not only does not repeal these enactments, but declares that they "shall continue in force" unless "inconsistent with the Constitution or laws of the United States." The Newlands Resolution of July 7th, 1898, which prescribed the governing law down to the action of Congress, expressly preserved existing legislation "not contrary to the Constitution of the United States," and the effect of these words was distinctly passed upon in the Mankichi decision. And the Organic Act not only protects the statutes as they stood when it was adopted, but affirmatively guards against any technical holding in favor of criminals. It continues "prosecutions" going on at the time of its passage, and, alluding to the extinction of the Republic of Hawaii, enacts:

"All offences which by statute then in force were punishable as offences against the government of the Republic of Hawaii, shall be punishable as offences against the government of the Territory of Hawaii, unless such statute is inconsistent with this Act, or shall be repealed or changed by law."

And under the head of "The Judiciary," it says: "And until the legislature shall otherwise provide, the laws of Hawaii heretofore in force concerning the several courts and their jurisdiction and procedure shall continue in force except as herein provided."

Section 83 of the Organic Act, which specifically repeals all then existing statutes considered by Congress to be unconstitutional in a territorial jurisdiction, emphasizes the foregoing extracts by providing: "That the laws of Hawaii relative to the judicial department including civil and criminal procedure, except as amended by this Act, are continued in force, subject to modification by Congress or the legislature."

It thus appears to the average citizen that all that the legislature of Hawaii, under its various forms of government could do, and all that Congress could do, and all that the Supreme Court of the United States could do, to avert the possibility of a general jail delivery, under any ruling that could be devised, was actually done, and that, if Judge Gear's decision be finally accepted, the principles of the Mankichi judgment will be flouted, its reasoning transferred, and its conclusion practically reversed.

Whether it was a fleeting memory of his decision that nobody can be sent to jail without a grand jury indictment behind him or whether it was a sudden rush of common sense to the head, we do not know; but for one reason or other Judge Gear seemed to appreciate the chance the Attorney General gave him to drop the contempt proceedings against the Advertiser and resume the campaign against the Home Rule. Even the rambunctious jurors seemed to be satisfied. Where the fire fountains had played and the molten rock had curdled over precipices on Friday, the doves of peace cooed and the lava looked cold and bare on Monday. It was one of those sudden and peculiar changes which have marked all the Gear crowd's recent efforts to squelch the Advertiser. Strange how even local history repeats itself.

We are reminded by a subscriber, who writes on the authority of the Christian Herald, that the story of Emily Brown reaching the throne of Korea by the harem route has been authoritatively denied. A search of the archives in the Advertiser's clipping library does not develop a denial but it fixes the responsibility for the story upon Editor O'Shea of Shanghai, the most renowned prevaricator in the Far East. Mr. O'Shea, among his other triumphs of unveracity, counts the story which horrified the civilized world, about the massacre of the legations at Peking during the Boxer trouble. The mere attachment of his name to the story of Emily Brown removes it from the sober field of history and places it in the rainbow realm of fiction.

We venture to say that no public business for Hawaii, calling for the services of a citizen of these Islands on the mainland, has ever been more speedily, capably and successfully carried through than has the adjustment of our Territorial bonding interests by Secretary George R. Carter.

LOCAL BREVITIES.

(From Saturday's Daily.)

Dr. Raymond, proprietor of Kahikuni ranch, on Maui, is in town.

W. M. Pomroy, foreman of the Advertiser composing room, has an attack of the denuke.

The Home Rulers are troubled how to decide between Kalaokalani and Nakulua for the county clerk candidate.

Red fish are reported to have fore-shown the volcanic outbreak. They formerly came but as forerunners of a chief's death, though mistaking the time to come now and then.

The acceptance of George H. Fairchild's name on the official ballot for Kauai county, as candidate for supervisor, by Governor Dole was based on a decision of the Supreme Court in 1902 in the case of August Dreier.

George E. Ferris, when told of the commutation of his sentence, said he would survive twenty years of hard labor. Nevertheless he felt grateful to the Governor for saving his life and would try to be a model prisoner.

Deputy Attorney General Peters, in explanation of his allusion to Juror Nottley in court, stated yesterday afternoon that Nottley, at a Home Rule gathering, said that John H. Wise was "no good" because he had polled his vote in the jury room for a verdict of guilty against a Hawaiian defendant.

(From Monday's daily.)

The Republican headquarters at Hilo have been changed from the Peacock block to the rooms on the first floor of the Telephone building.

Attorney Jas. L. Coke of Walluku, Maui, is suffering from an attack of appendicitis, but his physician, Dr. Armistead, hopes that an operation may not prove necessary.

The Falls of Clyde, Captain Matson, arrived Monday at Hilo with a general cargo and the following passengers: J. L. Robertson, Mrs. J. W. Mason, and two children, Mr. Scholtz and J. V. Ray.

Mary E. Foster by her attorney, E. A. Mott-Smith, has entered a motion for default in her suit to foreclose mortgage against Lum Kin and others. It comes before Judge De Bolt this morning.

Mrs. Sarah Coan Waters, of New York City, has been visiting Mrs. C. H. Dickey at Hilo, Maui, the past week. Mrs. Waters is an island girl, the daughter of Rev. Titus Coan, of Hilo, and visits the islands for the first time in forty years.

A. Gartley may leave in the steamer Mauna Loa today for Hawaii to make a trip to the volcano.

W. G. Cooper, cashier of the First National Bank, leaves for the Coast in the Sierra on a business trip.

Surveyor W. A. Wall leaves for Hawaii in the Mauna Loa today and, if the eruption is found still in blast, may climb to Mokuaweoweo crater.

An exchange of the Waialeale mill site, Hilo, for land needed to extend Smith street, Honolulu, was approved by the executive council subject to further report on valuations by Superintendent Cooper.

Suit was filed in the District Court yesterday by Schaefer & Co. against George A. Davis for \$36, the value of a case of Dry Monopole champagne bought by Davis on January 5, 1903, during the height of the Summer trial.

Superintendent Cooper received conditional approval, in the executive council yesterday, of a proposal to acquire, by exchange with the Bishop estate of lands in Pololua, 80,000 square feet of ground at Nuuanu avenue and Pauoa street for a public park.

The Kohala ditch license, with conditions as previously published in the Advertiser, will be offered at public auction on November 28. Not less than \$10,000 is to be expended by the buyer within eighteen months, or than \$400,000 within five years of the date of license.

Mrs. Ida B. Castle is the first applicant for a title under the Torrens land registration law. It is for the property at Kilauea, Victoria and Lunalilo streets, which contains 125,000 square feet of land assessed at \$30,000. Judge Philip L. Weaver, in routine course, referred the application to E. A. Mott-Smith as examiner for report.

Ellis Lando has not been hazed at Annapolis. As soon as the Spiders found out that he was an expert with a guitar they asked him to play for them and he knew enough near to refuse such an invitation. As a result, unless they keep him playing all his spare time, he will escape the usual experience with the upper classmen.

Among those booked on the Sierra for San Francisco are Thomas Fitch and wife, who return to Los Angeles; S. B. Boulton, Chairman of the London Labor Conciliation and Arbitration Board, wife and daughter; who will return to London; L. L. McAndrews, S. B. Rose and Major McClellan, P. C. Jones and H. E. Wally go to the annual convention of the American Bankers' Association in San Francisco.

At first they were "insurrectos" and "insurrectos" in the Philippines and therefore "patriots" to the anti-expansion party in the United States. Then their names were changed to "ladrones" and the anti-expansionists were stricken dumb. A "ladrone" might be a hairy and gory pirate for all they knew. Finally the Bostonese discovered that the ladrones was the same old insurrecto under a disguising name so it became necessary to call him a "head-hunter." It is pleasing to know by the late dispatches that the Philippine constabulary have killed fifty-three "head-hunters." Now what can the anti-expansionists say against that? Isn't it American to kill scalping or head-removing savages?

We venture to say that no public business for Hawaii, calling for the services of a citizen of these Islands on the mainland, has ever been more speedily, capably and successfully carried through than has the adjustment of our Territorial bonding interests by Secretary George R. Carter.

Humors of the Blood

Cause many troubles,—pimples, boils and other eruptions, besides loss of appetite, that tired feeling, fits of biliousness, indigestion and headache.

The sooner one gets rid of them the better, and the way to get rid of them and to build up the system that has suffered from them is to take

Hood's Sarsaparilla and Pills

Forming in combination the most effective alterative and tonic medicine, as shown by unequalled, radical and permanent cures of

Scrofula Salt Rheum
Psoriasis Boils, Pimples,
All kinds of Humor Rheumatism,
Blood Poisoning Dyspepsia
Catarrh Debility, Etc.

Accept no substitute, but be sure to get Hood's, and get it today.

BUSINESS CARDS.

H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.—Importers and Commission Merchants, Honolulu, Hawaiian Islands.

LEWIS & COOKE.—(Robert Lewis, F. J. Cooke, C. M. Cooke)—Importers and dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO.—Machinery of every description made to order.

HONOLULU STOCK EXCHANGE.

Honolulu, October 12, 1903.

NAME OF STOCK	Capital	Vol	Bid	Ask
IMPORTANTS				
U. S. Gov't 4% 1907	1,000,000	100	100	100
U. S. Gov't 4% 1910	200,000	50		
U. S. Gov't 4% 1913	5,000,000	21	21	22 1/2
U. S. Gov't 4% 1916	1,000,000	100		21 1/2
U. S. Gov't 4% 1919	2,312,750	100		50
U. S. Gov't 4% 1922	2,000,000	20	23	25
U. S. Gov't 4% 1925	750,000	100		100
U. S. Gov't 4% 1928	2,000,000	20		19 1/2
U. S. Gov't 4% 1931	1,000,000	21		21
U. S. Gov't 4% 1934	2,000,000	50		50
U. S. Gov't 4% 1937	500,000	100		55
U. S. Gov't 4% 1940	180,000	100		
U. S. Gov't 4% 1943	500,000	100	130	55
U. S. Gov't 4% 1946	3,500,000	20		4
U. S. Gov't 4% 1949	2,600,000	100		95
U. S. Gov't 4% 1952	1,000,000	20	38	25
U. S. Gov't 4% 1955	500,000	20		100
U. S. Gov't 4% 1958	5,000,000	20	0	10
U. S. Gov't 4% 1961	150,000	100		
U. S. Gov't 4% 1964	5,000,000	50		
U. S. Gov't 4% 1967	250,000	100		
U. S. Gov't 4% 1970	750,000	100	110	
U. S. Gov't 4% 1973	750,000	100		160
U. S. Gov't 4% 1976	2,700,000	100		100
U. S. Gov't 4% 1979	1,200,000	100		60
U. S. Gov't 4% 1982	700,000	100		280
U. S. Gov't 4% 1985	450,000	100		160
SPAMSHIP CO'S				
U. S. Gov't 4% 1907	500,000	100		110
U. S. Gov't 4% 1910	800,000	10	115	125
GENUINE				
U. S. Gov't 4% 1913	500,000	100	95	100
U. S. Gov't 4% 1916	1,000,000	100		101
U. S. Gov't 4% 1919	150,000	10		10
U. S. Gov't 4% 1922	400,000	85	80	80
U. S. Gov't 4% 1925	500,000	20		20
BONDS				
U. S. Gov't 4% 1907				
U. S. Gov't 4% 1910				97 1/2
U. S. Gov't 4% 1913				100 1/2
U. S. Gov't 4% 1916				103
U. S. Gov't 4% 1919				100
U. S. Gov't 4% 1922				100
U. S. Gov't 4% 1925				100 1/2
U. S. Gov't 4% 1928				101
U. S. Gov't 4% 1931				101

On Shore and Facing Eastward

SOUTHERN PACIFIC offers

Choice of Routes and
Choice of Trains

"SHASTA ROUTE"—Oregon Express.

"OGDEN ROUTE"—New Overland Limited.

"SUNSET ROUTE"—Sunset Limited. Down California Coast. Crescent City Express via San Joaquin Valley.

THE DIRECT ROUTE IS THE OGDEN.

The SHASTA will show you Northern California and Western Oregon.

The SUNSET, Central and Southern California, Arizona, Texas, Louisiana.

FOLDERS AND BOOKLETS AT

Information Bureau

613 Market St., San Francisco.

CROWDS ON
THE PROTETMany People Visited
French Cruiser
Yesterday.

Public interest centered on the French cruiser Protet yesterday afternoon and the harbor presented an animated scene with the launches and shore boats plying a continuous trade in carrying visitors of both sexes to the Gallic war machine.

People who missed the band concert, people looking for a breath of air, folks interested in ships and those who go down to sea in them, were all ready to get to the comparatively cool water-front away from the "volcano weather." Linen suits and dainty dresses were donned, boats hired or the Frenchman's launches taken advantage of, and soon a crowd gay enough to remind officers and men alike of La Belle France they had left behind them, had boarded the ship and for the time being, captured her, the ship's complement, members of the "politest nation in the world," surrendering at discretion.

The warship, trimmed for inspection, her razor like ram headed for the shore, seemed solidly set on foundations that reached the bottom of the harbor. The water was glassy and the grim, forbidding, yet fascinating reflection of the big cruiser showed every stout fighting mast, every turret and sponson, the frowning muzzles and the brilliant tricolor that hardly found breeze sufficient to display its folds.

Boat booms were swung to port and starboard with ladders pending from them down which the nimble sailors clambered to man the boats. The holiday attire, gay laughter and little shouts of surprise or wonderment, the polite attentions of the receiving officers, all seemed in strange contrast to the paraphernalia of war that served only as a means of conversation and entertainment.

Wandering and wondering parties under the guidance of a white clad, gold bedizened officer, inspected the ship from engines to bridge and listened puzzled but smiling to the endeavors of their guide to translate technical terms into understandable American.

Many of the officers of the Protet, speak English fluently and the parties under their care were duly impressed with the prestige of the grand Republic's sea power. In the cabins little parties discussed refreshments and exchanged greetings or reminiscences, while others went as fancy led them, free of the ship, meeting with efforts of hospitality from Jean in the fore-castle, messieurs the warrant officers, the dapper lieutenants to the commanding officer.

CABLE IS VISIBLE
ON OCEAN BOTTOM

Probably Uncle Sam's coast defenses about Honolulu will before long be such as to minimize any danger of cable-cutting at the shore end of the electric strand that unites Hawaii with the outer world. All the same, the wonderfully translucent properties of the ocean near Hawaii's reefs make the Pacific cable more exposed than many people may deem credible.

"I have seen the Pacific cable this morning," one passenger said to another aboard the steamer Kinau on approaching the harbor entrance Saturday forenoon.

"What do you mean—a cablegram come aboard?" was the questioning response.

"No, but the real Pacific cable lying upon the bottom of the ocean."

Finding his statement received with incredulity, the first passenger referred the sceptical one to Captain Freeman, who promptly verified the fact.

So clear is the water off shore that the cable is visible, where it curves in from the ocean to round Diamond Head, at a depth of 23 fathoms or about 140 feet when the surface is comparatively smooth. Such remarkable transparency of ocean water is known only in a few parts of the world besides the vicinity of Honolulu harbor. It is said that the wreck of the barkentine William Carson, sunk by collision beyond Diamond Head four years ago, may still be seen from the decks of passing steamers.

Great Britain is reluctant to stay in the Japanese alliance if it means war. Nobody can blame her, for as surely as she draws the sword against Russia, France will draw it against her and then for the general European war which has been prophesied for over twenty years. Since the \$200,000,000 Boer episode was over Great Britain has been in a thrifly peaceable mood and the prospect of paying out a billion of dollars or more for the sake of keeping Russia out of Japan's back country does not appeal to her business instincts. We may well believe that if war comes John Bull will content himself with standing afar off and selling goods to both sides.

Architect Traphagen has submitted the plans for the N. G. H. armory in Honolulu to Superintendent Cooper. Col. Jones says that, while all the appointments cannot be completed at once, the structure will be made suitable for occupancy with the means expected to be available when the contract is let.

A LINGERING COUGH may result in consumption. Chamberlain's Cough Remedy cures coughs, colds and influenza. It contains no harmful substance and is pleasant and safe to take. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

LONDON CONCILIATION
BOARD CHAIRMAN HEREHon. S. B. Boulton, Presiding Officer of Body
Which Adjusts Differences Between Em-
ployers and Wage-Earners, a Visitor Here

Hon. S. B. Boulton, chairman of the London Labor Conciliation and Arbitration Board, one of the most powerful factors in the adjustment of difficulties between employers and operatives in the entire London district comprising about 6,000,000 residents, is a guest at the Moana Hotel, Waikiki, with Mrs. Boulton and his son and wife. The party recently came across Canada, thence to Hawaii. They will leave shortly for San Francisco, returning to London via New York.

The Board of which Mr. Boulton has been chairman since its organization twelve years ago, is composed of twelve members selected by the London Chamber of Commerce and a like number selected by the Trades Unions. The Board exercises a vast influence in labor matters and settles disputes of every character arising between the wage-earners and their employers. The Board stands ready to settle disputes, these being voluntarily laid before that body.

"I do not believe in compulsory arbitration," said Mr. Boulton at the Moana last evening. "I don't think it is possible anywhere. The questions laid before the Board for adjustment are brought to it voluntarily. No labor organization is compelled to have its difficulties arbitrated by our Board merely because it has representatives on the Board."

Mr. Boulton has analyzed the relations between capital and labor, or employer and employee, and is a recognized authority of labor economics. He says the prosperity of any individual enterprise requires three essential factors—capital, labor, and land, but not least, controlling capacity—capacity to initiate, to direct, to manage.

"The success of all endeavors to promote industrial peace must result from the joint efforts of employers and employees to arrange their relations with each other by a system based upon the mutual exercise of conscience and common sense," said he. "Writers on political economy are not infallible, but I think that Professor Marshall was not far wrong when he said, 'Economic laws and reasonings, in fact, are merely part of the material of which conscience and common sense have to make use in solving practical problems and in laying down rules which may be a guide in life.'"

Conscience should teach both employer and employee that neither should depart from the justice and equity epitomized in the axiom, "A fair day's work for a fair day's wage." Common sense calls loudly to both parties to co-operate to a greater extent than ever before in the endeavor to remove many obstacles which are hindering the maintenance and growth of the trade which nourishes both labor and capital, and, amongst those impediments, none are more mischievous than the habit of resorting to strikes and lock-outs as a method of making those bargains between capital and labor which must from time to time be made and remade.

However inevitable some of those contests may have appeared to have been in times past, the enlightened opinion of our whole British community demands that less disastrous and less barbarous methods of adjustment should prevail in the future.

"The formation of trade unions led, in many industries, to the establishment of employers' associations, the objects of the two classes of combinations being usually antagonistic. It was only later on that the idea occurred of using these rival associations as vehicles for arriving at a mutual understanding between masters and men. The first serious attempt of reducing this idea to a practical reality appears to be due to the initiative of Mr. Mundella, who, in 1890, at Sheffield, after a grievous series of strikes in the hosiery trade, succeeded in forming a conciliation and arbitration board.

The movement, although regarded at first with extreme suspicion, turned out to be a marked success, and as nothing succeeds like success, the example gradually spread to the lace trade, and to other trades. In 1899 it was adopted by the manufacturing iron trade at Darlington. The iron trade in South Staffordshire, in South Wales, and in Scotland, and the Cleveland ironstone mines, the Staffordshire potteries, the chemical trades of Northumberland and Durham, and various large collieries followed suit.

In 1889 the London Chamber of Commerce was called upon by a large number of its members to take some action in consequence of calamities arising in the Port of London out of the serious dispute between the dock directors and their workmen. The Chamber appointed a committee of inquiry which was authorized, if found practicable, to prepare a scheme of labor conciliation especially adapted to the needs of the Port of London. I was chairman of that committee and presented its unanimous report, which was adopted by the Chamber. After full discussion the Chamber authorized the formation of a conciliation board. Omitting minor details, the board was, and is, composed of twelve members representing employers, who are annually elected by the Council of the Chamber, and of twelve representatives of Labor annually elected by the delegates of the trades unions of London, all the London trade unions being annually invited to elect these delegates.

An equality of voting power to the members of the board is provided for. The methods of the board consist, firstly, on hearing of any labor dispute within the Metropolitan district, of an offer of its services to both disputants, and of an invitation to a friendly conference, on neutral ground, that is, in the rooms of the Chamber of Commerce. Where conciliation has not succeeded, recourse to arbitration under the auspices of the board is recommended. I have taken part, as chairman, in almost all the arbitrations which have been conducted under the auspices of the board since its commencement."

Mr. Boulton made an address to the Industrial Conference, held under the auspices of the Labor Copartnership Association and the London Labor Conciliation and Arbitration Board held at the Crystal Palace on July 3, 1903, in which he gave expression to the above views, and is quoted also as saying on that occasion:

"As an employer of labor in this (Great Britain) and other countries, and as one who, during a long business career, has had some experience in arbitrations of various kinds, I can bear testimony to the spirit of thorough impartiality with which these mixed panels, the workmen equally with the masters, have approached and dealt with the questions submitted to their arbitration. And, as another matter for sincere congratulation, since the formation of the board there has never been an instance where the award arrived at under arbitration, or the agreement entered into under the auspices of the board by its methods of conciliation, has not been accepted and loyally carried out by both parties to the dispute. In almost all instances the board has been cordially thanked by both disputants; and it is of frequent occurrence that, after a first experience of its methods, both employers and employees in various industries continue from time to time to bring their difficulties before the board for adjustment. I cannot but think that methods which have produced such results are worthy of more extensive application than has hitherto been accorded to them, and that voluntary conciliation boards, conducted upon principles which have thus far stood the test of experience, are perhaps the best methods of maintaining industrial peace. In this connection it may perhaps be permitted to me to mention that I was examined at some length before the Royal Commission on Labor, and that, in their fifth and final report, the Commissioners speak with approval of the work of the London Conciliation Board, and commend its methods as specially suitable for district conciliation boards."

"It has long occurred to me that, in view of the fact that every diminution of trade is as vitally injurious to the workman as it is to the employer, a greater co-operation ought to exist between employers and employees in order to remove any impediments or disabilities which may interfere with the maintenance or growth of the particular industry upon which they depend, or of the trade of the country in general. Why should they not meet and consult together on subjects concerning which their interests are undoubtedly identical? Were this to take place, they would find that their interests are identical upon more subjects than they at present suppose. In those cases especially where legislative remedies are necessary in the interests of trade, such co-operation could not fail to be of the greatest possible utility."

"The full list of papers which will be presented by their authors is as follows. It is expected that all stock breeders on Hawaii will attend the meeting:

1. J. Monsarrat, "Island Horses."
2. John Cullen, "Dairy Fodders."
3. D. P. R. Isenberg, "Kiaue Fodder in the Dairy."
4. F. G. Krauss, "Modern Methods in Animal Husbandry, With Suggestions For Local Conditions."
5. George C. Munro, "Devon Cattle. Their Adaptability to Our Low Level Ranges."
6. A. W. Carter, "The Advantages of Spraying."
7. L. von Tempisky, "Pamakant, a Dangerous Plant Pest on the Range."
8. Jared G. Smith, "The Relation of the Federal Experiment Station to the Graziers."

FACTS FOR SMALL FARMERS.
We hope that Mr. Lansing, the capable Immigration Agent, the Promotion Committee and the Land Commissioner will not fail, when they answer letters from inquiring small farmers, to enclose the statement officially made at Hilo by Jared Smith, director of the United States Experiment Station, of the export crops which farmers may profitably grow here.

These include:
Bananas,
Sisal,
Manioc,
Arrowroot,
Castor Beans,
Cabbages,
Onions,
Dried Beans,
Pineapples.

Every one of these products is saleable in the San Francisco market. Each can be grown here to good advantage. Later it is hoped to add to the list:
Vanilla,
Tobacco,
Ginseng,
Cocoa.

As for domestic agriculture—the things produced on small farms which are saleable in the local market and eatable in the farm home—we have:
Cattle,
Milk,
Butter,
Chicken,
Ducks,
Pigs,
Sheep,
Squabs,
Fish (where ponds can be had),
Alligator Pears,
Guava Jelly,
Mango Chutney,
Grapes,
Flowers and ferns,
Okra,
Common vegetables,
Mushrooms.

Here, therefore, is a list of saleable commodities, for which plenty of susceptible soil may be found in these Islands, and which sufficiently answers the plea that agricultural Hawaii is only fit for sugar.

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In Quarts and Pints,

And

Geo. Goulet Extra Dry

In Quarts and Pints.

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TRY IT

HOLLISTER DRUG CO.,

PORT STREET.

INDUSTRIES
SPECIFIEDJared Smith Names
Nine Suitable
Varieties.

Jared Smith, director of the Government Experiment Station, arrived in Hilo last Saturday after visiting the coffee plantations and tobacco experiment station in Hamakua. Mr. Smith had been invited to address the members of the Hilo Agricultural Society at a meeting on Saturday and visited Hilo for that purpose. During his remarks Mr. Smith said:

"It appears to me that the conditions in Hamakua, both as to soil and climate, are favorable to the cultivation of tobacco. Thus far nothing more than preparing the soil has been done. The plants must be protected by meeting and this material was ordered from the East and shipped to be unfortunately, by the way of Cape Horn. As this means unnecessary delay, another order has been sent to the East and the material will be shipped by the direct route.

"My investigations in this Territory convince me that Hawaii has great possibilities for diversified industries; aside from sugar, rice, taro and coffee there are opportunities for a dozen more. It is surprising to note the number and varieties of marketable products growing on the islands and without apparent care. Agriculture may be divided into two classes: that for export and that for domestic consumption. In most places the domestic agriculturist obtains the best results from his labors because in nearly every locality the population consumes it. But here in Hawaii growing for export is the most profitable. Among the many varieties which are, or may be, produced here for export I will name bananas, manioc, arrowroot, castor beans, cabbages, onions, dried beans, pineapples and sisal. These I name as being suitable for cultivation by the small farmer; sugar is a kingdom of its own."—Hilo Herald.

TRADES GIVE WAY
TO SOUTH WIND

A writ of habeas corpus may be served on the weather prophet to produce in Honolulu the cool trades which he is alleged to have purloined several days ago and sent to an unknown part of the Pacific, cunningly substituting for them a hot, suffocating zephyr from the South. The zephyr, also, is said to be charged with heat from the active crust.

It is noticeable that Mr. Wilcox, Home Rule nominee for Sheriff, is getting as close as he can to the Chinese. He is even dining some of them at the principal hotels. Can it be that the wily Bob is telling them that an investment in Home Rule friendship would net big returns from open fan-tan and paka pio games later on? Perish the thought! No one could believe it even of Bob even if they found the evidence of it in a gas tank. Asked ourselves, we should venture the thought that Bob is about to change his religion again and is looking up facts about Buddhism and the worship of ancestors.

ter on Mauna Loa.

The weather prophet's guilt is unquestioned. The cool trade winds, which came across the Pali, down Mauna valley and over Kaimuki from Waialeale have completely disappeared, and the whole trouble is laid at Ly-decker's door. There is almost unquestioned belief that the substitution of the shimmering zephyrs took place in the dead of night while all good Honolulu people were asleep. It's up to the weather man to return the missing trades.

A BREACH OF
CONFIDENCEBulletin Breaks a
Pledge of
Silence.

In reading the Bulletin-Macfarlane account of the La Paloma accident both Messrs. Hobron and Dunn, who are personally mentioned in the article as having made certain statements at the recent club meeting of the Hawaii Yacht Club, feel that the Bulletin has committed a breach of confidence in publishing its article. It was agreed at that meeting not to air the affairs of the club and to keep further mention than that of the one motion passed, out of the paper. To this the editor of the Bulletin, who was present, agreed as did the Advertiser representative. The Advertiser has sustained the confidence reposed in its promise.

Allan Dunn says: "I made no statements at the meeting concerning the Helene's flag or her life buoy or any disqualifications attached to that vessel, although as chairman of the Regatta Committee such was my privilege. Any statement coupling my name in this fashion is incorrect as Mr. Whitney of the Helene or any responsible member of the club present can attest."

"A promise was made at this meeting by Mr. Farrington for the Bulletin and by the Advertiser representative in reference to a motion, that the press would not publish or be informed by any present, of what passed in the meeting beyond a bare statement of the motion calling the race off. This promise has been kept by the Advertiser and was undoubtedly broken by Mr. Macfarlane and Mr. Farrington in yesterday's Bulletin."

W. Hobron says: "In reading over the Bulletin article it appears that both Mr. Farrington and our Chief Executive have committed a breach of confidence by reference as to what took place at our club meeting. So far the Advertiser has refrained from mentioning anything except authorized statement. If they want the Waialeale incident brought before a stronger light than the Washington's the reading might not be altogether pleasant to its agent or those seeking to espouse his cause."

"Referring to what he says about my interest in the wreck, would say that after seeing the Dewey's mast gone, I rowed over to investigate and see if there was anything to be done to avoid further loss of property. Without going on board the wrecked Dewey, it would appear that the hull must certainly be damaged in a collision that would take her mast out, and in this case she would probably be leaking and liable to sink if not beached at once. I went to the Dewey, as I have gone to the Paloma and other boats in trouble, as I believe it is the duty of every yachtsman to do, and, not as the Bulletin would make it appear, as seeking to secure facts to reflect on Commodore Macfarlane's seamanship."

The Bulletin's statement that Mr. Hobron was the only one taking an interest in the affair outside the crew of the La Paloma is not borne out by facts besides casting inference on the sportsmanlike qualities of Port Captain L. de L. Ward and other yachtsmen who were most interested in the damage done.

Some forty people who came up from the Peninsula yesterday knew of the accident and it was the topic of the day. Four of those who came up on the train assisted in giving the Advertiser details of the occurrence. Considerable fun was also anticipated in listening to the blame being cast upon the boat at anchor, exactly the line of defense pursued, although the Advertiser refrained from commenting upon the prophecy.

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OF LONDON, FOR FIRE AND
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of Hartford, Conn.
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OF HARTFORD.

**THE NEW FRENCH REMEDY,
THERAPION.** This successful
remedy, used in the Continental Hospitals by Ricord,
Roustan, Robert, Velpeau, and others, combines all
the desiderata to be sought in a medicine of the
kind, and surpasses everything hitherto employed.
THERAPION NO. 1 maintains its world-
renowned and well-earned reputation for damage-
ment of the kidneys, pains in the back, and
kindred ailments, affording prompt relief where
other well-tried remedies have been powerless.
THERAPION NO. 2 for impurities of the blood,
eczema, pimples, spots, blotches, pains and swelling
of joints, gout, rheumatism, and all diseases for which
it has been too much a fashion to employ mercury.
THERAPION NO. 3, to the destruction of sufferers' teeth
and ruin of health. This preparation purifies the
whole system through the blood, and thoroughly
eliminates all poisonous matter from the body.
THERAPION NO. 4 for exhaustion, sleep-
lessness, and all distressing consequences of
dissipation, worry, overwork, &c. It possesses
surprising power in restoring strength and vigor to
those suffering from the enervating influences of
long residence in hot, malarious climates.
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MAN WITH THE HOE

**Japanese Fireman Keeps
Passengers 2 Hours
at Peninsula.**

The "man with the hoe," in the
shape of a clumsy Japanese fireman,
managed to break up the dummy en-
gine that hauls the accommodation
train between Pearl City and the Pen-
insula yesterday afternoon. Folks ex-
pecting to catch the through train at
Pearl City, arriving at Honolulu at
5:30, went supperless for two hours in
consequence until a special engine was
despatched to bring them into town.

The dummy run by "Tony," the en-
gineer, well known to Peninsula resi-
dents, has its periodical breakdowns
and with its weakness passengers are
never quite certain whether it will ac-
complish its journey. At every break-
down, Tony gets a real engine on loan
and the passengers, and doubtless
Tony, devoutly hope that the dummy
will be relegated to the scrap heap.

But up to the present the dummy is
always mended in the railroad hospital
and is sent back, convalescent and
wheezing, until another breakdown oc-
curs. It is practically a boiler and
furnace of simple type entirely en-
closed within a cab and extends its
 motive power by chain gear. The Ja-
panese fireman who feeds it, rakes out
its ashes and waters it, uses a hoe for
the ash raking process. Yesterday,
when he was through, he thrust the
hoe back under the boiler and cleverly
mixed it up with the chain gear.

When the passengers went at 4:40 to
start for Pearl City, the engine was
in pillkiasul. The hoe and the chains
had become mixed and the gear was
sadly demoralized. All Tony's en-
deavors could not make a move. As
this is the last connection to town the
passengers were not contemplating the
delay with enthusiasm, but in the dis-
tance the arrival and departure of the
Honolulu train at Pearl City was heard
with the dummy still at a standstill.

Friends and relatives at the Hono-
lulu end awaited dinner, then ate it
and then began to think of shipwreck
and disaster, while at the Peninsula
end, darkness came on apace and ap-
petites grew with the night.

Finally deliverance, in the shape of
a special engine from Honolulu, show-
ed a welcome headlight and the be-
lated ones gladly climbed aboard to
arrive in town at seven-thirty.

**FIVE BILLION
POUNDS SUGAR
TAKEN LAST YEAR**

Over 5,000,000,000 pounds of sugar,
valued at over \$100,000,000, was brought
into the United States in the fiscal
year just ended. This is a larger im-
portation of sugar than in any preced-
ing year in the history of the country.
The total number of pounds of sugar
brought into America during the year
was, as shown by the records of the
Department of Commerce and Labor,
5,217,770,065, while in no earlier year in
the history of the country has the im-
portation of sugar ever reached 5,000,-
000,000 pounds.

The largest importation in any earlier
year was that of 1897, when the total
was 4,918,905,733 pounds. Adding to
the enormous production of 1903 6,000,000,-
000 pounds as the domestic production
would give a total sugar supply of 11,-
217,000,000 pounds for the year, or suf-
ficient to furnish an average of seven-
ty-two pounds for each individual in
the United States, estimating the present
population at 80,000,000.

The record of sugar importations for
the year differs materially in cer-
tain aspects from that of earlier years.
The total importation of beet sugar
during the year was only \$7,000,000
pounds, against 255,000,000 in the fiscal
year 1902, and 903,000,000 in the fiscal
year 1901. Cane sugar, of course, com-
posed the remainder, and the cane
sugar importations of the fiscal year,
exclusive of that brought from Porto
Rico and the Hawaiian Islands, amount-
ed to 4,975,000,000 pounds, against
2,685,000,000 in the fiscal year
1902 and 2,965,000,000 in 1901. From
Porto Rico the total sugar brought in-
to the United States amounted to 256,-
143,508 pounds, valued at \$7,466,579, and
from the Hawaiian Islands 774,825,420
pounds, valued at \$25,319,684. Thus the
total quantity of sugar supplied by
Porto Rico and the Hawaiian Islands
amounted to 1,029,000,000 pounds, or
about one-fifth of the total brought in-
to the country, its value being nearly
\$33,000,000. It would seem that, as a
nation, we are fond of sweetmeats.—
Harper's Weekly.

THE BYSTANDER

The other night as I was passing one of the hotels I heard and saw,
at a corner beyond, an eruption in full blast. Molten words were spouting
and cascading, red rhetorical flashes, odoriferous of sulphur, cut the murky
air, and a roar, rising now into a crescendo scream and then turning to a
guttural whoop roused sleepers from their beds and brought them anxious
to their porches.

The active agent of the eruption was a strong-lunged and brawny hotel
steward. In the midst of the turmoil stood an abject victim, mutely appeal-
ing for help and not even getting sympathy. Every minute or two a shower of
hard volcanic words (scoria), descended upon him. Waiting near by to
watch the lingual fire fountains play, I heard: "Steal a black coffee spoon,
would you, you blankety blank thief! Yes you did, you blank liar! Don't
tell me or I'll knock off your block! Biff! Stand there now until I get
through with you! You stole a spoon before but put it back on the table
when the waiters saw you. Yes you did, blank you! What! I know you
haven't got it. You stole it for somebody else! Get back here before ten
o'clock tomorrow morning and pay for that spoon or I'll — Come here!
Biff, biff, biff! Now take that eye home with you but you'd better see
your way back tomorrow. I don't care whether you are in a print shop or
not, you won't steal any more stuff which I have to pay for." And then
there was a parting kick!

Inquiring the next day I learned that the victim called before ten and
paid the bill.

And this reminds me that the fact of stealing silverware from hotels, par-
ticularly spoons, has grown to serious proportions. It is society's chief
minor diversion when away from home. The felonious custom began to spread
six or seven years ago all along the line of tourist travel and the lady who,
from a tour of the world, could return with spoons bearing the monogram
of every great hotel from the Palace at San Francisco to Shephard's at
Cairo, Claridges at London and the Waldorf-Astoria in New York had a real
title to distinction. Of course if her steamer stopped here she got some-
thing if she could from the Royal Hawaiian, the Moana and—as at present
—from the Alexander Young. Thousands upon thousands of dollars have
been lost to hotels in this way and the custom has grown up of holding
the kitchen or dining room employees personally responsible for all silver
taken from the tables. I believe this is the rule of the Honolulu hotels and
it often brings an unexpected streak of bad luck to the hired men. At the
same time it makes them vigilant.

The system of protection at one of the hotels is as good as anybody
can devise. The steward knows precisely how much loose silverware goes to
a man at table and precisely what comes back to the kitchen. If anything
is missing the steward does not have to go far to place the responsibility,
which lies between the waiter and the guest. Honolulu waiters don't steal,
as a rule. One who lost much hotel silverware would speedily lose his job.
Besides, a Chinese waiter can be searched offhand. The chances are, if a
spoon is missing, that the guest has it. If the suspect is a woman of pos-
ition, who spends a great deal of money in the hotel, nothing is said, but the
loss is made good in one way or other. The ordinary woman's male rela-
tives are notified and if they do nothing they make a blunder. It is better
to do something. But woe to the man who is caught in the act of theft.
Like the poor fellow I saw the other night he is pretty likely to find him-
self in special session with a shower of rocks.

For ways that are dark and tricks that are not always vain, commend
me to the Chinese. Some time ago the Advertiser told how a lady had
bought a pair of fat ducks which derived their plumpness from the air
fought into them by the Chinese dealer's bicycle pump. Incidental to this I
note that the story was copied into a Shanghai paper with a few changes
of construction and laid to a Chinaman there. As to another trick, I heard
of a woman who bought a carved "sandal wood" box of one of Honolulu's
celestial dealers, paying a good price, and was delighted with the pungent and
unmistakable odor. By and by the sweet scent evaporated and then she
learned that her precious curio was made of pine upon which a drop or two
of sandal wood oil had been poured.

"Fresh island eggs, very cheap," is the lay now of the Chinese huckster.
These eggs are rarely fresh—never in fact; and many of them are pretty
far gone. Where do they come from? Why from Kansas. Big dealers im-
port them for the Chinese and cheap restaurant trade. In San Francisco a
man once saw these signs at the same stall: Ranch eggs, 35 cents a dozen,
fresh eggs 30 cents a dozen, eggs in brine 20 cents a dozen, eggs 15 cents a
dozen. The "eggs" came from Kansas, same as ours.

They raise a more delicate grape in Hawaii than they do in California—
a grape of more luscious flavor and less gross and cloying sweetness. If
you don't believe it get candidate Cayless to give you some of his Premier
Election grapes from that part of the old Wolf vineyard which is in-
cluded in his pleasant homestead on Pihikoi street. Cayless says he had his
Chinaman cut the vines back so they would produce during the campaign.
The grapes are of the Isabella variety and if there are any better ones on
earth the rival candidate, Mr. Rawlins, had better get them into the canvass.

Did you ever see a more powerful indictment of our local jury system
than was given in Gear's court when a few avid Home Rule politicians
were encouraged to get up from the jury box and refuse to go on with a
case because of a six line item in a newspaper about the color of the panel?
(Continued from Page 4.)

Did you ever read such confused balderdash as the "reasons" given by these
bebeudinal gentry for taking offence. Talk about the opera bouffe in "Trial
by Jury"—it was nothing to that tuppenny exhibition of bad English and
Simian logic. And then the Court! Heaven save the mark! He had so
weak a case from his jurymen that he felt obliged to lug in comments by The
Bystander of which the jurors had made no complaint and then he wandered
into a shyder speech against the Advertiser intended, probably, to make
him solid with the Nottley-Boyd crowd that surrounded him. Evidently he
needs friends and can look for them nowhere else. But the worst exhibition
Gear made was in the eager evasion with which he met the charge of the
Deputy Attorney General that Charles Nottley had abused a native juror on
the street because the latter had found a verdict against a Hawaiian. That,
the Court explained, had nothing to do with the case in hand. Of course
not! But a two weeks' old paragraph in The Bystander column about the
improbability of a white man getting justice from a native juror had. It
makes a big difference to Gear where he hears a thing.

"This is one of the very few cities I have been in where shopping is
done on the sidewalks," said a Fort Street business man yesterday to The
Bystander. "I will wager there is more of it done here, in this city, with
its limited non-Asiatic population than many cities with one hundred times
this class of population. It's a queer thing that a lady, although she may
have a driver, will generally sit in her carriage and signal a clerk to the
curb. The custom has been almost a confirmed habit, but the electric car
service is naturally breaking it up to some extent. Another Fort Street
business man told me the other day that recently a carriage, a surrey, drove
up before his place of business. There was a driver, and among others was
a young lady in the rear seat. She signalled to one of his clerks and he went
out to the curb. She inquired if a certain article she had left to be made
had been finished. The clerk went inside, and soon after returned with a
small parcel. That was trip No. 2. She inquired the price and was told it was
25 cents. She gave him a dollar and the clerk again entered the store walked
around the counter to the cash drawer and returned with 75 cents change.
That was trip No. 3. The young man had four trips to make to get 25 cents
and it took considerable time. That's what makes curb-stone shopping ob-
jectionable.

"Now, there has been some opposition to electric cars running on Fort
street because it is too narrow. The same cry went up when the tram line
was laid, but I don't see where harm resulted. I figure that people coming
down town from the valley will get off the cars, say at Hotel and Fort and
walk down the block, and vice versa. Looking at it from this standpoint
this will make business for all of us. And if it will prevent curb-stone
shopping I favor the Fort street line the more."

MRS. ETHEL WATKINS

**GIVEN THREE MONTHS TO LIVE BY
A COUNCIL OF DOCTORS.**

**Cured of Anæmia by Dr. Williams' Pink Pills After Ordinary Medi-
cine Had Failed.**

From a despondent woman, given up to die by the best physicians she could summon, Mrs. Ethel Watkins, of No. 112 Parker street, Scranton, Pa., has become well and cheerful, a living, enthusiastic endorsement of the remedy to which she owes her life and health. Mrs. Watkins was afflicted with anæmia, a disease in which the blood be-
comes so deficient as to be unable to furnish the tissues of the body with necessary nourishment. Every organ is starved and the patient becomes white and waxen in appearance. If this condition is not quickly remedied it runs into persistent anæmia, one of the most hopeless of diseases. In Mrs. Watkins' case, as usually happens, the character of the disease was not dis-
covered until it was well advanced. She says:

"If I happened to scratch or cut my-
self no blood would flow—just a wat-
ery-looking fluid. I was shockingly
thin, as white as a sheet and without
a bit of strength. Three doctors at-
tended me and all said I could not live
three months. I had no appetite, my
heart was weak, sleep did not rest me
and I became despondent.

"The doctors' medicines did not help
me and neither did anything else that
I tried until, upon the advice of a
friend who had been cured of anæmia
by Dr. Williams' Pink Pills for Pale
People, I began using them. They
helped me almost immediately and, by
the time I had taken seven boxes, cured
me. I am always glad to recom-
mend Dr. Williams' Pink Pills for Pale
People to others."

The power of Dr. Williams' Pink Pills
in diseases of the blood and nerves has
been shown in hundreds of cases which
have not yielded to ordinary treatment.
Dr. Williams' wonderful discovery, as
embodied in these pills, has cured ob-
stinate cases of locomotor ataxia, partial
paralysis, St. Vitus' dance, sciatica,
neuritis, rheumatism, nervous head-
ache, the after-effects of the grip, pul-
pitation of the heart, pale and sallow
complexions and all forms of weakness
either in male or female. Dr. Wil-
liams' Pink Pills for Pale People are
sold by all dealers, or will be sent post-
paid on receipt of price, fifty cents a
box; six boxes for two dollars and a
half, by addressing Dr. Williams Medi-
cine Co., Schenectady, N. Y.

OF THE MULTITUDES

who have used it, or are now us-
ing it, we have never heard of
any one who has been disappoint-
ed in it. No claims are made for
it except those which are amply
justified by experience. In com-
mending it to the afflicted we
simply point to its record. It
has done great things, and it is
certain to continue the excellent
work. There is—we may hon-
estly affirm—no medicine which
can be used with greater and
more reasonable faith and confi-
dence. It nourishes and keeps up
the strength during those periods
when the appetite fails and food
cannot be digested. To avoid
imitations and substitutions, this
"trade mark" is put on every



bottle of "Wampole's Prepara-
tion," and without it none is
genuine. It is palatable as honey
and contains the nutritive and
curative properties of Pure Cod
Liver Oil, extracted by us from
fresh cod livers, combined with
the Compound Syrup of Hypo-
phosphites and the Extracts of
Malt and Wild Cherry. Taken
before meals it creates an ap-
petite, aids digestion, renews vital
power, drives out disease germs,
makes the blood rich, red and
full of constructive elements and
gives back to the pleasures and
labours of the world many who
had abandoned hope. Dr. S. H.
McCoy, of Canada, says: "I tes-
tify with pleasure to its unlim-
ited usefulness as a tissue build-
er." Its curative powers can al-
ways be relied upon. It makes a
new era in medicine and rep-
resents the best medical advice of
the twentieth century. Effective
from the first dose. "You can-
not be disappointed in it." Sold
by all chemists the world over.

Candidates at Ewa.

The Republican candidates for office
under the County Act assembled at
Ewa last evening, enjoying the hos-
pitality of Manager George Renton of
Ewa plantation, candidate for super-
visor-at-large.

Easily Explained.—"Strange that af-
ter reaching the top of the ladder he
should fall so suddenly."
"There was a woman at the bot-
tom of it."—Life.



If you are young,
you naturally ap-
pear so.
If you are old,
why appear so?
Ayer's Hair Vigor
will surely restore
color to your gray
hair, and will give
to it all the
wealth and
gloss of ear-
ly life. It
will stop
falling of the
hair
also; and
will keep
the scalp clean and healthy, entirely
free from dandruff.

And it makes the hair grow thick
and long. This is because it is a hair-
food, giving to the hair just what it
needs to make it grow as nature in-
tended.

Ayer's Hair Vigor

There's a pleasure in offering to you
such a preparation; while you will cer-
tainly feel a sense of security in using
something that others have used for
half a century.

Do not be deceived by cheap imita-
tions which will only disappoint you.
Make sure that you get the genuine
Ayer's Hair Vigor.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

HOLLISTER DRUG CO., Agents.

CHAS. BREWER CO'S NEW YORK LINE

BAIK NUUANU Sailing from
NEW YORK to HONOLULU
November 5th-10th. FREIGHT
TAKEN AT LOWEST RATES.
For freight rates apply to
CHAS. BREWER & CO.
27 Kilby St., Boston,
OR C. BREWER & CO.,
LIMITED, HONOLULU.

TRANSPORT PEOPLE PUFFED WITH PRIDE

A funny incident is reported in con-
nection with the arrival in port on
Thursday of the transport Sherman.
Just as the troopship was swinging
past the lighthouse, Admiral Terry,
commandant of the naval station, was
leaving his French cruiser Protet, hav-
ing just paid his official call upon the
French captain. The guns of the Pro-
tet thundered a parting salute, due to
the Admiral's rank. At once there
was a currying on the transport. It
was generally believed that the salute
was complimentary to the transport,
and it was decided to return it. Then
it was discovered that the ammuni-
tion could not be reached, and the
Seventh regiment band was hastily
summoned and shortly the martial
strains of La Marseillaise were heard
upon the harbor. The officers on the
transport felt they had done their
duty. When they went ashore they
discovered their error, and their chag-
rin, if any, was pocketed.

SPLIT IN JUNIOR FOOTBALL LEAGUE

Football politics among the juniors is
about as exciting as the county vari-
ety now agitating the land. Dissen-
sion followed by disruption took place
at a meeting of the Junior Football
League the other evening. It was a
case of conservative and progressive
factions coming into collision. Un-
fortunately for their cause, the con-
servatives were shy one club. This
made a tie without remedy.

At a previous meeting the High
School, St. Louis College and Mills In-
stitute formed a majority in favor of
playing by the 1902 rules. Punahou
and Kamehameha schools, forming the
minority, refused to abide by the de-
cision and left the League. Last week's
meeting would seem to have been an
attempt at patching up the break, but
in the absence of Mills Institute an
even split occurred.

The result of it all is that each fac-
tion will play by itself under the rules
of its choice. Punahou and Kameha-
meha taking those of the present year
and going out of the league. They
will play a series of two out of three
games. President Gleason appointed
Gay and Sherwood a committee to
confer with Mills Institute, with a
view to arranging a three cornered
series under the 1902 rules.

Cyclone on Maui.

Mr. W. G. Scott and Mr. D. L. Meyer
of Walluku have purchased the famous
pacer Cyclone from Gus Schuman, and
will use him as a buggy horse till time
to train him for the next races.

A FRIEND IN NEED IS A FRIEND
INDEED—That is exactly what Cham-
berlain's Cough Remedy is. It is the
mother's help when she is suddenly
awakened in the night by the ominous
husky cough, and labored breathing
of her babe. It is the safe resort of
the youth or adult when he has
"caught cold" and there is coughing
and irritation of the mucous mem-
branes of the throat. It allays the ir-
ritation and cures the cold. Sold by
all dealers and druggists. Benson,
Smith & Co., Ltd., agents for Hawaii.

Hamburg-Bremen Fire Insurance Co.

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of
F. A. SCHAEFER & CO. AGTS.

German Lloyd Marine Insurance Co. OF BERLIN.**Fortuna General Insurance Co. OF BERLIN.**

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO.,
General Agents.

General Insurance Co. for Sea River and Land Transport. of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO.,
Agents for the Hawaiian Islands.

YOUR SUGAR CROP

Depends on the right quantity and quality of Ammonia. It has to feed upon Nitrogen (Ammonia) being the principal material removed from the soil by sugar cane.

A few dollars' worth of

Nitrate of Soda

(The Standard Ammoniate)

fed to each acre of growing cane will give surprising results.

Planters should read our Bulletin giving results of Agricultural Experiment Station trials. They are sent free. Send name on Post Card.

WILLIAM S. MYERS, Director.
12-16 John St., New York,
U. S. A.

THE CLIFTON

T. K. JAMES, Proprietor

Private apartments, en suite and single. Finest appointed and furnished house in Hawaii. Mosquito proof throughout. Hotel street, near Alifan.

Grim Old Paul.

Grim old Oom Paul Kruger, eagle wanderer from the Transvaal, is in lonely retirement at Mentone. He wears a somewhat smart frock coat and black trousers, and the faithful stovepipe hat, bound with heavy black crepe, and walks with a cane. Apollonius dispenses the bearers of amens in front of the villa when the former president enters the house daily, about noon, after a morning spent in the garden. The old man is by no means decrepit, and looks in good health. He prefers the company of his own thoughts to intercourse with strangers.

ALL NOT SERENE IN PORTO RICO

SAN JUAN, P. R., Sept. 24.—The district court has ordered the release of Eduardo Conde and Leonidas Guillot, Socialists, who were recently sentenced to six months' imprisonment for insulting the American flag and threatening the life of Governor Hunt at a meeting of the American Federation of Labor here. The majority of the judges of that court are native. The Americans condemn the decision to release the two men. The prisoners' lawyer has been arrested on the charge of contempt of court.

Certain newspapers continue to abuse Governor Hunt and are inciting a black flag demonstration when he returns here October 1. The police are on the alert and the government is firm. The reception of the governor, however, will, at his personal request, be quiet and simple. An uneasy feeling pervades San Juan.

The Philippine Exhibit.

ST. LOUIS, Sept. 24.—Thirty-one native Filipinos have arrived in St. Louis to help in the erection of the Philippine exhibit buildings, and began work today on the "Quartel de Filipinos" at the world's fair. The "Quartel de Filipinos" is to be 150 feet square, with a court in the center ninety feet square. It is to be two stories high, with the second story overhanging as in Manila dwelling houses. It is to be roofed with nipa, a native plant, of which a large supply has been imported. This building is to contain quarters for the Filipino builders, offices for the Philippine commissioners, architects and draftsmen.

The contract for the Washington state building was awarded today. The building will cost about \$30,000. Work will be begun as soon as the native timbers and other material arrive from Washington.

INTENT OF ADVERTISER NEWS ITEM MISTAKEN

(Continued from page 3.)

do with the article in the paper; so far as we are concerned we are perfectly satisfied, and have been satisfied with the jury.

NOTLEY'S STATEMENT.

Mr. Notley spoke thus: I wish to state to your Honor that Deputy Attorney General Peters told me yesterday the reason for my being challenged on the panel was because I have such a close relationship to the Hawaiian people. I would never find them guilty. I can say for seventy-five years since the Caucasian race came to these islands, we find that the Hawaiian people have hung their own people, where the Caucasian race have not hung one. We have sought justice and what is right.

PETERS HEARD OF IT.

Deputy Attorney General E. C. Peters was not present in court when Mr. Notley spoke as above. When he heard of the statement he hurried over from the Attorney General's office and, coming into court, stated that he had been informed of the version given by Mr. Notley of a conversation the previous day. Mr. Peters denounced the statement as absolutely false and requested that the stenographer take down what he was about to say, with the permission of the court, regarding the conversation. Following is the official report of the rest of the proceedings, barring the sub-heads:

Mr. Peters: I desire to state to the court that yesterday afternoon, shortly after I think it was yesterday afternoon—I was talking to Mr. Boyd, I was standing in the main portion of the corridor, near the door of your Honor's courtroom; Mr. Andrews and Mr. Fleming were prosecuting before the court, and I was sitting there during a short recess from Judge Robinson's court, in which I was assisting Mr. Andrade. I was talking to Mr. Boyd and Mr. Notley and talked to Mr. Boyd about the Chilton case. Mr. Boyd brought up the statement of Mr. Andrews that had been made by him in court on the return of the jury and the entry of a mistrial in the case of Territory of Hawaii against Levi Daniels; Mr. Notley was also taking part in the conversation; I told Mr. Notley that I would not have him on any other jury in which I prosecuted. I said: "Mr. Notley, I will be perfectly frank with you; you are an Hawaiian and naturally have an aloha for the Hawaiians; there are Hawaiians in the audience here." I said: "Every advantage that the defendant has in a criminal case should be granted him; my duty is simply that of prosecuting on behalf of the Government; and I know that there is certainly a feeling in favor of an Hawaiian defendant; but for that reason alone it would not excuse an Hawaiian as a juror; if you as an Hawaiian did not entertain that feeling I could not understand you as an Hawaiian." But I said: "I will not excuse you or any other man from the jury who is an Hawaiian for the reason that the defendant is an Hawaiian. But you have stated, Mr. Notley, as a juror in a case here, that you would not convict any Hawaiian, and any man who would allow his prejudice to overcome his reason shall not sit on a jury in which I am prosecuting."

BRANDED AS FALSEHOOD.

The statement of Mr. Notley that I would not have him for a juror for the reason that he is an Hawaiian, is branded as a falsehood on its face; and I can corroborate my statement which I make before this court, by Mr. Boyd, who was there at the time; and I can further corroborate my statement about Mr. Notley in that he did, as a juror, in the first case tried before your Honor, tell people on the street that a certain member of the jury was no good for the reason that he pulled a rednet of guilty for the defendant in the case, who was a Hawaiian. My duties as a prosecuting officer are simple; I am supposed to come before the court and prosecute the cases in a legal manner. If I do not prosecute in that manner I deserve the censure of the court; and if I don't do that it is time to get out of the Attorney General's department. I didn't say I would not have a man on a jury for the reason that he had an aloha for the Hawaiians, and I do not intend to stand before this court charged with the excusing of a man for the reason that he is an Hawaiian; charged with a statement by a man of the character of Mr. Notley.

JUDGE GEAR'S REMARKS.

The court: The matter came up this morning, Mr. Peters, brought up by the jury in the case, on account of what was said in the paper this morning, and while all this statement of Mr. Notley is volunteered it has nothing to do with the matter before the court. The court appreciates the Deputy Attorney General's actions all the way through, and the court has nothing to say against Mr. Peters; the court, however, thinks that the jurors this morning on the panel cannot be blamed for the stand they took, especially in view of the articles which have appeared in the Advertiser. A week ago Sunday they put in a statement that no Hawaiian would convict another Hawaiian, and that is followed this morning by the statement they had in these about drawing the color line. I do not blame the jurors—the other matter (Mr. Notley's statement) has no place before the court—because it is a question of the trial of this case. The remarks, however, will be spread on the stenographer's notes, and I will have the whole of it written up. I have instructed the Attorney General's department in regard to what occurred, and to take such steps as they think necessary. Certainly the administration of justice has been interfered with in this case; the jurors have refused to go on with it; a good many of the jurors are quite mad about it I understand; and it seems to me if these things come into the court, they should be closed up. Unless that paper and the people who have charge of it are ready to come out and insist that the franchise be taken away from the Hawaiians, they have to stop. If they are

ready to take that step and insist that no Hawaiians shall sit on juries in this court; when the law is amended so they shall not, of course the court will not call jurors with the Hawaiians among them; until they get legislation changing that and placing Hawaiians beyond the rights of citizens, it seems to me an article of that kind is the most flagrant abuse of the rights of the press that could be imagined, because it is certainly obstructing justice here in a way that only an article of that kind could, that is after the case has been tried all day, and the jurors here and witnesses here, the jurors refuse to go on, because they fear if they brought in a verdict of acquittal, for instance, of the defendant, this Hawaiian, if the paper is consistent, they would make an open charge they acquitted him because he was an Hawaiian. As I stated Mr. Notley's statement has nothing to do with this case with the jurors on this panel and on the further consideration of this case. The matter now before the court is that individual jurors on the panel have stated they could not go into the jury room with as fair and impartial mind as they would if such an article did not appear, because if they directly or indirectly acquit an Hawaiian because he is an Hawaiian—any juror because he is an Hawaiian—I think if I understand human nature they would not, even if they had a reasonable doubt of his guilt find him guilty, because they would be subject to the charge that the man was acquitted because he was an Hawaiian. As long as Congress has given to Hawaiians the same rights as the whites, and they come under the Constitution as free and equal with the whites, just so long have they those rights.

LAST WORD FROM PETERS.

Mr. Peters: I appreciate the statement of your Honor, and for the administration of justice we must have a panel of jurors to sit on the jury without fear or favor or reward. But there are matters every day which do not come to your Honor's judicial notice. A false statement such as was made this morning to an outsider would have results absolutely contrary to the statement I made to Mr. Notley and Mr. Boyd. That statement will go into tomorrow morning's paper, and into this evening's paper; Mr. Notley's statement will go in the paper and mine will go in the paper. These are people who know who I am and who know who Mr. Notley is, and there are people who know neither me nor Mr. Notley, so that as far as I am concerned it goes down to certain people in this community that I will not have a man on the jury for the reason that he has an aloha for the Hawaiians. That is the statement made in open court. Your Honor cannot find out what statements are made on the street, when a juror is discharged from duty, or during the meetings of certain persons on political lines, and these statements would naturally become known. I cannot help what comes to the ears of the newspapers, but there is one thing I can help, and that is when a deliberate falsehood is told before your Honor, I can come before your Honor and contradict it. Further than that I do not care to say anything about it. I have endeavored to be kind and courteous, and to be fair in every case that has come before you, but when a statement is made attacking my integrity as a prosecuting attorney and stating a deliberate falsehood before your Honor in the presence of others, then I can come before the court and make my statement and what the newspaper itself or individual jurors have stated I do not know. If there is a feeling among the jurors they have been slighted I regret it, or when the court is hampered by a jury that feels that it has been slighted, that is sincerely deplorable, and I also regret that very much. It is only that this absolutely false statement was made to your Honor that induced me to come before your Honor to relate what actually did occur.

POLITICS IN THE JURY BOX

The Star has the following comment on Friday's extraordinary proceedings:

The row raised by the Kamuela jury in Judge Gear's court is regarded by very many people as a stroke of Home Rule politics.

The jury, on which there are some of the leaders of the party, took occasion to bring up a race issue and create a lot of feeling which may be used to fan race prejudice among Hawaiians and make them flock to the standard of Wilcox. A small item in the morning paper was taken up and used as a text for a lengthy tirade and some of the statements made sounded almost like Home Rule speeches.

John Wise almost wanted blind, and Charley Notley, who is not a member of the jury concerned, addressed the court with a statement, subsequently contradicted by Deputy Attorney General Peters, which was designed to accuse the hoards of opposing natives. James H. Boyd, another leading Home Rule politician, was in court and was heard to refer to the matter as a political issue. "Jimbo" secured a large pad of writing paper and proceeded to make notes, or write a speech in court. It took him a long time to finish it. It will be good campaign material.

The jury of this term in Gear's court contains a remarkable percentage of Home Rule politicians, and from the opening of the term there have been indications and rumors of antagonism among them to the Attorney General's department.

The row in court today will be used on every platform, to substantiate a claim that whites do not trust Hawaiians on juries, which is the issue the political jurors were trying to make in court this morning. It is a fact, however, that there has been scarcely a jury accepted since annexation, on which the races were not about evenly divided.

WOKE UP MOANALUA Republicans Made Some Fine Addresses.

A large and enthusiastic Republican meeting was held last night on the grounds of Hon. S. M. Damon's country estate at Moanalua. Mr. Dan Kamaheua presided and after making some introductory remarks he presented the "Boy Orator" as the first speaker. Harry E. Murray spoke next saying that he stood for good government and honest politics. He told of the principles of the Republican party and said as a party the Republicans always carried out their promises and never made promises that they could not carry out.

S. E. Damon followed and said that he did not propose to take up much of the time of the audience as he was well enough known in Moanalua and wanted to give the other candidates a chance to be heard. He briefly told of the duties of the Treasurer and made a strong plea for the entire Republican ticket.

Geo. F. Renton, who was introduced at the "Roosevelt of Hawaii," spoke at some length and was given a rousing reception. He spoke along the general lines of Republicanism and asked the voters to support not only himself but the entire Republican ticket. He said that the Home Rule ticket consisted of a few Home Rulers, one Democrat and a number of disgruntled Republican duffers. He said he would like to compare the two tickets but as the Home Rulers themselves did not know who would be their final nominees such comparison was impossible.

Mr. Brown, said the speaker, compared the Republican ticket to a newly launched ship but did not carry the comparison far enough as he forgot to say that if the ship had Republican officers it would not require \$250,000 worth of Panos water to float it.

"Bill Nye" Lucas next spoke and the usual laugh followed his many witty references to the Home Rule party.

Henry C. Vida was then called upon. He said that he was not a candidate for any office but that he was out to support the entire Republican ticket. He said that as the county would not have a great deal of funds to run the government, it would be necessary to elect men who could go to the banks and merchants and "raise the wind" when funds ran short. The Home Rule party, said the speaker, was a party of many promises, but few deeds, and should not be trusted in affairs of a serious nature and certainly not with the inauguration of the County of Oahu.

Wm. Hoit Thornton made an eloquent speech in Hawaiian on the principles of Republicanism which was well received.

Attorney Rawlins spoke next and drew comparisons from the Bible and from history. He said that the county government was in the shape of a shell and would require men of honesty, integrity and intelligence to put it on a solid foundation. To elect the Home Rulers would be like building a house on sand. As soon as any weight was placed in it the sand would shift and the foundation would be gone. He said the salvation of the county was in the election of the Republican ticket from Brown to R. N. Boyd.

J. W. Pratt told of the duties of the tax office and the damage that could be done to the county by the election of some irresponsible person to such an important office.

Isaac Sherwood made a plea in the Hawaiian language for the election of the entire Republican ticket, and told of the duties that will fall to the County Auditor.

Arthur M. Brown was greeted with cheers that echoed over the hills of Moanalua and disturbed the slumbers of the cattle on the mountains. He said that after such a reception there could be no question as to who would get the support of the people of Moanalua for the office of Sheriff. Mr. Brown made an eloquent address, which was frequently interrupted by applause and with cries of "Good boy Brown."

S. C. Dwight and Robt. Boyd closed the meeting with speeches in the Hawaiian language.

This evening the scene of the campaign will be at Ewa plantation, access to which will be gained by train. Supervisor-at-large George Renton will play host.

On Wednesday Kailhi camp, the alleged stronghold of the Home Rule party, will be visited.

Mr. Reynolds Clear.

In the matter of W. F. Reynolds, charged with appropriating the money from fire claims, the case was dismissed in the Police Court yesterday morning on the ground that the defendant had paid the money to the wrong man, but on paying it again cleared himself although he is out just so much money. Mr. Reynolds declares he never had a fire claim in his hands, although assisting a few Chinese to obtain their postal savings bank funds. He feels he is in a like position with regard to the fire claim as Secretary Carter in the matter of a savings deposit paid twice without reaching the rightful owner.

Against Kamuela, solely on the facts and the evidence. What have they to do with something that is said outside of court, about how the attorneys try the case? The publication had nothing to do with the evidence in the case of the Territory against Kamuela, which was the jury's business."

Hair 55 Inches Long Grown by Cuticura.

MISS B—, of L—, sends us through our British Agents, Messrs. F. NEWBERRY & SONS, 27 and 28, Charterhouse Square, London, E. C., a strand of soft, glossy hair cut from her own head and measuring fifty-five inches in length, of which the annexed drawing is a photographic fac-simile. She attributes her magnificent head of hair to frequent shampoos with CUTICURA SOAP, followed by light dressings of CUTICURA, rubbed into the scalp. Previous to the use of CUTICURA, her hair was dry, thin, and lifeless, and came out in handfuls to such an extent that she feared she would lose soon it.

This is but one of many remarkable cases of the preservation and restoration of the hair in seemingly hopeless cases by warm shampoos with CUTICURA SOAP, followed by light dressings of CUTICURA, purest of emollient skin cures. This treatment at once stops falling hair, cleans the scalp of crusts, scales, and dandruff, soothes irritated, itching surfaces, stimulates the hair follicles, supplies the roots with energy and nourishment, and makes the hair grow on a clean, sweet, wholesome, healthy scalp, when all else fails.

MILLIONS OF WOMEN use CUTICURA SOAP exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, and for all the purposes of the toilet, bath, and nursery.

Complete External and Internal Treatment for Every Humour.

Consisting of CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTICURA OINTMENT, to instantly allay itching, inflammation, and irritation, and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. A SINGLE SET is often sufficient to cure the most torturing, disfiguring, and humiliating skin, scalp, and blood humours, with loss of hair, when all else fails. Sent through the world. Sole Depot: R. TOWNS, & Co., 8, S. W. St., New York. Sole Agents for the Hawaiian Islands: F. A. SCHAEFER & CO., 12, John St., New York. Sole Props., CUTICURA, "The Great Skin Cure," U.S.A.

DR J COLLIS BROWNE'S CHLORODYNE

IS THE ORIGINAL AND ONLY GENUINE.

Coughs, Colds, Asthma and Bronchitis.

DR. J. COLLIS BROWNE'S CHLORODYNE—Vice-Chancellor SIR W. PAGE WOOD stated publicly in court that DR. J. COLLIS BROWNE was undoubtedly the INVENTOR OF CHLORODYNE; that the whole story of the defendant, Freeman, was deliberately untrue, and he regretted to say it had been sworn to. See the Times, July 18, 1884.

DR. J. COLLIS BROWNE'S CHLORODYNE is a liquid medicine which assuages PAIN OF EVERY KIND, affords a calm, refreshing sleep WITHOUT HEADACHE, and INVIGORATES the nervous system when exhausted. It is the GREAT SPECIFIC FOR CHOLERA, DYSENTERY and DIARRHOEA.

The General Board of Health, London, reports that it ACTS as a CHARM: one dose generally sufficient.

Dr. Gibbon, Army Medical Staff, Calcutta, states: "Two doses completely cured me of diarrhoea."

DR. J. COLLIS BROWNE'S CHLORODYNE is the true palliative in NEURALGIA, GOUT, CANCER, TOOTHACHE, RHEUMATISM.

DR. J. COLLIS BROWNE'S CHLORODYNE rapidly cuts short all attacks of EPILEPSY, SPASMS, COLIC, PALPITATION, Hysteria, etc.

IMPORTANT CAUTION.—The immense sale of this Remedy has given rise to many Unscrupulous Imitations.

N. B.—Every Bottle of Genuine Chlorodyne bears on the Government Stamp the name of the Inventor, DR. J. COLLIS BROWNE. Sold in bottles, 1s 1/4d, 2s 9d and 4s 6d, by all chemists.

Sole Manufacturers, J. T. Davenport, Limited, London.

Home Rulers Meet.

The Home Rulers held two meetings last night, one at Kailhi on the Kamehameha IV. road close to King street and another at Iwilei, close to and Ewa of the prison.

At Kailhi, Jesse Makalinal introduced the speakers among whom were James Boyd and Curtis Iauka. The former told the scattered listeners that a Home Rule victory would mean prosperity and plenty to eat for all Hawaiians. The speakers held forth from the balcony of a small house a dozen torches illuminating the scene. Outside of the torch bearers there were barely a score of listeners who would qualify as voters. Some forty women and children sat on the grass of the small yard and the front steps of the building literally "sitting at the feet" of their exhorters.

The meeting was hard by the Kailhi saloon where between speeches, those of the Home Rulers who had the price drunk to the success of the party in foaming lager.

GREAT GRUMBLERS

Grumbling Will Cease if Honolulu People Follow Ths Advice.

Backache is the first grumbling warning. The kidneys give it, if you heed it not. Look out for trouble, it will surely come.

Urinary trouble, kidney trouble and many miseries.

Doan's Backache Kidney Pills are made for kidneys only.

They cure every form of kidney ill. The experience of Honolulu people proves this.

Here's a case in point.

Mr. F. Metcalf, of this city, gives us the following information: "I was afflicted with a painful feeling in my back for over five years. The various remedies resorted to did me no good, until, falling in with the advice of a friend (Mr. W. J. Maxwell), I procured at the Hollister Drug Co. some of Doan's Backache Kidney Pills. I had hardly finished taking them when the pain left me altogether, and I now feel that I have been completely cured of the terrible suffering I underwent formerly. By keeping a box of the pills in the house I am fortified against any possible return of my complaint at future times. It seems almost miraculous that the pains should have vanished so speedily. All sufferers from backache should get some of Doan's Backache Kidney Pills."

Doan's Backache Kidney Pills are sold by all druggists at 50 cents a box, six boxes for \$2.50, or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

Mr. Crimmonbeak—You've got some dirt on your eye, John.

Mr. Crimmonbeak—Yes, dear, I just swept the horizon with it.—Yonkers Statesman.

EXHIBIT SHOULD ATTRACT TOURISTS

It may be wiser to have a Hawaiian building at the St. Louis exposition, but it is to be hoped that not more than \$5,000 will be needed for this purpose, so that a sufficient sum may remain to provide suitable exhibits. The chief end of an exhibit however should be to attract tourists, and the entire exhibit should be designed for that purpose. Preserved fruits and industrial products deserve a minor space, but the entire display should be one which leaves in the minds of visitors an eager desire to come to Hawaii and see for themselves its tropic beauties.—Maui News.

Rev. O. P. Emerson's Successor.

HONO, Oct. 10.—The Rev. O. P. Emerson has retired from the work of the Hawaiian Board of Missions which he has served long and faithfully. The Board has called the Rev. Dorenus Scudder, D. D., from Japan. Dr. Scudder, accompanied by his wife, is spending a few weeks in Hilo and vicinity. During a part of their visit Mrs. Scudder will be the guest of Miss Florence Hill at Mountain View. Dr. Scudder will address the union meeting at the Hall church next Sunday evening. He will spend a few weeks in company with the Rev. Mr. Hill on a tour of inspection over Eastern Hawaii in the interests of the Hawaiian Board.

S. S. Mauna Loa for the Volcano.

The S. S. Mauna Loa, leaving Honolulu Tuesday at noon, gives a fine opportunity to all persons desiring to see the Volcano of Mauna Loa in eruption. Arriving at Kailua early Wednesday morning, she proceeds along the Kona Coast where it is predicted the lava flow will occur. Arriving at Hilo on that evening, the steamer will remain there all night before proceeding on to Kauai. All parties wishing to embrace this opportunity of an enjoyable trip and the possibility of observing one of the grandest sights to be seen, will do well to book early as the accommodations on the steamer are being rapidly reserved.

RHEUMATISM is a stubborn disease

to fight but Chamberlain's Pain Balm has cured it many times and will do so whenever opportunity offers. This remedy is a general family liniment and not only does it quickly relieve rheumatic pains but it also cures lame back, stiff neck, soreness of the muscles and stiffness of the joints. It is antiseptic and when applied to cuts, bruises, burns or scalds, heals such wounds without maturation and in less time than by any other treatment, and, unless the injury is very severe, will not leave a scar. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.



ARRIVED.

Sunday, October 11.

Stmr. W. G. Hall, Thompson, from Nawiliwili with twenty cabin and sixty deck passengers. Freight: 15 bags sugar, 2 horses, 1 mule, 6 pigs, 28 bales, 100 pkgs. sundries.

The Kinua brought to Honolulu as cargo, 165 sheep, one cow and calf, 198 pkgs. sundries.

Monday, Oct. 12.

Am. bktn. Jos. L. Evison, Jensen, 53 days from Newcastle, at 1:30 p. m.

Schr. Lady, from Koolau ports, at 12 m. with 250 bags rice.

Schr. Kawailani, Uluahale, from Koolau ports, at 12 m. with 350 bags rice.

DEPARTED.

Friday, October 9.

Nor. bark Sigurd, Oxnevan, for Port Townsend, at 10:30 a. m.

Am. schr. Aloha, Fry, for Port Townsend, via Hilo, at 11 a. m.

U. S. T. Sherman, Brugiere, for Guam and Manila, 5 p. m.

S. S. Argyle, Gilboy, for San Francisco at 6 p. m.

Stmr. Iwawani, Mosher, for Honolulu and Punaluu at 5 p. m.

PASSENGERS.

Arrived.

Per stmr. Mauna Loa, October 9, from the Volcano and Kau ports: J. J. Ernesto, Miss Margaret Forrest, T. Saito, J. H. Makino; from Kona ports, F. L. Leslie, Carlo Long, Yamashiro, Mrs. William Donnelly, George Stenbner, M. F. Scott, John Greig, Miss C. Newton, H. and A. Johnson, Sam Wong, Miss Ward, L. S. Aungst, wife and child, Mrs. E. Kaana; from Maui ports, J. M. Vivas, Mrs. Kahulu, Dr. J. H. Raymond and 45 deck.

Per stmr. Ke Au Hou, Oct. 9, from Kauai.—Mr. Hyman, T. McTighe.

Per stmr. Neoua, Oct. 10, from Kukulua.—Miss Greenfield and 8 deck.

Per stmr. Nihau, Oct. 10, from Wailua.—F. Gay and 4 deck.

Per stmr. Kinua, Oct. 10, from Hilo, Volcano and Kau ports: J. H. Dwyer, Mrs. J. H. Dwyer, J. B. Newport, Mrs. J. I. Belser, Miss Dowling, U. M. Dowling, W. Schoelen, C. L. Gilmore, Mrs. C. L. Gilmore, W. P. Miller, M. G. Santos, J. E. Ganalleson, Capt. W. A. Fetter, Allen Wall, Wm. Thompson, W. Ebeling, P. Peck, Mrs. W. Cha, Mrs. Kaidoge, Nakamilli, Robt. Shea, Capt. J. Fitzgerald, Geo. Wilson, Mrs. Hing Low, Mrs. Loo Shi, John Hind, Mrs. J. M. Hind, Miss Maui Hind, Mrs. Dr. J. Wight, Miss C. Wight, Mrs. Clark, Jared G. Smith, L. A. De la Nux, J. Schwartz, Mrs. L. H. Hempstead, C. V. Sturdevant, Dr. P. F. Frear, Miss L. A. Wong Kong, Mrs. C. H. Kickey, Mrs. E. E. Waters, Mrs. G. Waterhouse, Y. Matumoto, Rev. J. Kekiya, W. Shaw.

Per I. I. stmr. W. G. Hall, at 3:17 a. m., Sunday, Oct. 11.—P. N. Wilcox, G. H. Wilcox, J. H. Kikel, Jr., J. A. Palmer, J. H. Kikel, S. Lesser, Mrs. Winkler, Ah Sing, L. Ah Tok, Mrs. J. H. Kikel, N. G. Smith, Mrs. S. Kanewani, Yuen Hau, Mrs. Kalo, H. B. Sinclair, H. Blake, S. Sasaki, L. Kahlbaum, Chong Wo, See Chew, and 60 deck.

Per stmr. Maui, from Maui, Oct. 11.—J. Lani, Hasegawa, S. N. Lukua, Chun See, wife and child, Sakamashi, C. C. Cockett, T. Aona, wife and 5 children, W. Perry and wife, Geo. Weirant, F. E. Baldwin, wife, child and servant, C. C. Krumpholtz, W. A. Hardy, M. O'Shaughnessy, Mrs. Jno. Hulihui, Mrs. C. Willis, Mrs. A. G. Martinson, C. Comp Jr., wife and 4 children, Ed. Devauchelle, Aug. Devauchelle, J. Fujiyoshi.

PASSENGERS DEPARTED.

Per stmr. Mikahala, October 8, for Kauai ports: A. S. Wilcox and family, J. Nishimi, W. Williamson, Mr. St. Clair, Mrs. Mahlum, K. Kawamoto and wife, H. L. Rosenbiedt, G. Yoshidawa, Mrs. R. D. Mole and child and 40 deck.

Shipping Notes.

Saturday, Oct. 10.

Stmr. Kinua, Freeman, from Hilo and Kau ports, at 11:40 a. m.

Br. Cable S. S. Iris, from Bamfield Creek, at 5 a. m., anchored off port for orders.

Stmr. Lehua, Naupala, from Lanai, Maui and Molokai ports, at 6 p. m.

Stmr. Nihau, W. Thompson, from Wailua and Makaweli, at 6:30 a. m., with 4 pkgs. sundries.

Stmr. Neoua, Pederson, from Kukulua, Honolulu and Waipio, at 8:20 a. m., with 425 bags sugar, 45 pkgs. sundries.

The Jas. Nesmith will leave shortly for Port Townsend.

The Norwegian bark Sigurd departed yesterday for the Sound.

The U. S. Shipping Commissioner may leave for Kona next week on a short vacation.

The following sugar was ready for shipment at Hawaii ports when the Mauna Loa left: Honokaa, 2500; Honolulu, 753; Kukulua, —; Punaluu, —.

Fine weather is reported from Kauai.

The barkentine Lahaina will leave Eleele today.

The Mikahala is at Wailua discharging freight.

Fresh N. E. trades are blowing in the channel outside.

The Maui brought with her the following cargo: 100 sacks coffee, 190 sacks corn, 45 sacks —, 14 sacks potatoes, 5 polo ponies, 25 hogs, 128 pkgs. sundries.

The stmr. J. A. Cummins sails at 10 a. m. Monday for Koolau ports.

The tug Leslie Baldwin is still on the ways undergoing an overhauling.

JUDGE ESTEE CHARGES
FEDERAL GRAND JUR

(Continued from page 1.)

of the Act of March 3, 1903, being "An Act to regulate the immigration of aliens into the United States," that: "The importation to the United States of any woman or girl for the purposes of prostitution is hereby forbidden; and whoever shall import or attempt to import any woman or girl into the United States for the purposes of prostitution or who shall hold or attempt to hold any woman or girl for such purposes, in pursuance of such illegal importation, shall be deemed guilty of a felony and on conviction thereof shall be imprisoned not less than one year nor more than five years and pay a fine not exceeding \$5,000."

It is believed that there has been brought here quite recently a number of these unfortunate women and girls, to be held for the purposes of prostitution. It will be your duty as American citizens and public officers to investigate these matters thoroughly so that the guilty may be punished; and in making your investigations you must bear in mind that these alleged offenses, like all crimes, are performed in secret and will require at your hands the most patient inquiry.

ANOTHER MORAL STATUTE.

Furthermore, it is prescribed by Section 3 of the Act of Congress of March 3, 1887 (Vol. 24, U. S. Stats, 625)— "That whoever commits adultery shall be punished by imprisonment in the penitentiary not exceeding three years, and when the act is committed between a married woman and a man who is unmarried both parties to such act shall be deemed guilty of adultery, and when such act is committed between a married man and a woman who is unmarried, the man shall be deemed guilty of adultery."

This act of Congress is applicable to all such offenses committed within this Territory. The highest evidence in favor of the advanced civilization of a community is the punishment imposed on offenses against the moral laws. Some of this class of cases will be brought to your attention and it will be your duty to fully and fairly investigate the same, and find indictments where you believe a petit jury would be convinced of the guilt of the parties, from the facts as presented for your consideration, if no evidence were introduced to contradict the same.

CRIME OF PERJURY.

Gentlemen of the Grand Jury: You may be called upon to investigate a charge of perjury; and in this connection I instruct you that the laws of the United States contemplate that a statement made under oath before a competent officer of the law, shall be strong evidence of the truth of the facts stated, and in order to preserve inviolate the solemnity of an oath under the force prescribed by law, and to punish any violations thereof, it is prescribed by Section 5392 of the Revised Statutes of the United States, that:—

"Every person who having taken an oath before a competent tribunal, officer or person in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose or certify truly, or that any written testimony, declaration, deposition or certificate by him subscribed is true, wilfully and contrary to such oath or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by a fine of not more than two thousand dollars, and by imprisonment at hard labor not more than five years; and shall moreover, thereafter be incapable of giving testimony in any court of the United States, until such time as the judgment against him is reversed." It might also be added, that this law is made applicable to oaths before immigration officers. Sec. 24, Act of Mar. 3, 1903 (Vol. 32, U. S. St. 1213).

CRIME OF FORGERY.

It is provided by Section 463 of the R. S. U. S., as amended by the Act of January 3, 1887, that:—

"Any person who shall with intent to defraud, falsely make, forge, counterfeit, engrave or print, or cause, or procure to be falsely made, forged, counterfeit, engraved, or printed, or willfully aid or assist in falsely making, forging, counterfeiting, engraving, or printing, any order in imitation of, or purporting to be, a money order or postal note, issued by or under the direction of the Postoffice Department of the United States, or of any foreign country, and payable in the United States, or any material signature or endorsement thereon; or any material signature upon any receipt, or certificate of identification thereon; any person who shall falsely alter, or cause or procure to be falsely altered, or willfully aid or assist in falsely altering, any such money order or postal note; any person who shall with intent to defraud, pass, utter or publish as true, any such false, forged, counterfeited or altered money order or postal note, knowing the same or any signature or endorsement thereon, to be false, forged, counterfeited or altered, shall be punishable by a fine of not more than five thousand dollars or by imprisonment at hard labor for not less than two years and not more than five years."

Congress has established a Postal Money Order system in the United States and in doing so has provided for the protection of all money or postal orders issued by authority of the Postal Department of the government, and the punishment of all violations of the Postal laws in that regard. You will be called upon to examine some offenses of this character, and you will give them the same careful consideration that you do to all offenses against the laws of the United States laid before you for investigation.

THE REVENUE LAWS.

Finally, among the matters which you will be called upon to consider, will be violations of the Act of June 10, 1890, entitled "An Act to simplify the laws in relation to the collection of the revenue" (Vol. L, Supp. R. S. U. S. 750) commonly known as the "Customs Administrative Act."

The particular violation of this law arises under Section 9 thereof, which reads as follows:

PUBLIC WORKS BIDS
OPENED YESTERDAY

Bids for constructing the Diamond Head reservoir, opened at the Public Works office yesterday, were as follows:

L. M. Whitehouse	\$5,994
J. Duggan	6,345
F. H. Jordan	6,574
John F. Bowler	7,800
Concrete Construction Co.	7,825
John Walker	8,000
A. Harrison Mill Co.	8,258

Bids for metal fixtures for the vault in the office of the Treasury department were also opened, being:

Art Metal Construction Co.	\$30.00
Pearson & Potter Co., Ltd.	\$45.55
T. H. Davies & Co. Ltd.	1,219.65

In neither case has the contract yet been awarded.

INTEREST ON LOAN
SHAVED BY CARTER

Secretary Carter has managed a reduction of one-half per cent. interest from the maximum of five, and will be home with printed bonds for delivery here in the steamer Siberia on the 30th inst. For the purpose of uniformity between New York and Honolulu, Treasurer Kepoikal requests advice from Secretary Carter as to the form of advertisement for bids under the new conditions.

The following cable correspondence took place yesterday:

New York, Oct. 12.
To Kepoikal, Honolulu, U. S. A. (four lines). Bids received Honolulu and New York November 15th, delivery 24th. Will catch Siberia bringing bonds execution.
CARTER.

Honolulu, Oct. 12.
To G. R. Carter, Holland House, New York. Send fuller statement of your advertisement. Wish to advertise here.
KEPOIKAL.

COURT NOTES.

The Supreme Court opened yesterday morning only to adjourn until next Monday.

Judge Robinson will resume the jury trial of Peabody vs. Judd et al. this morning.

In the injunction case of S. M. Ballou vs. Mutual Telephone Co., Ltd., it is stipulated by Hatch & Ballou for plaintiff and Smith & Lewis for defendant that defendant have fourteen days more in which to plead, etc.

William O. Smith, administrator of the estate of Ethel P. N. Gay, deceased, has made return and account of sale of real estate.

"That if any owner, importer, consignee or agent or other person shall make or attempt to make any entry of imported merchandise by means of any fraudulent or false invoice, affidavit, letter, paper or by means of any false statement, written or verbal, or by means of any false or fraudulent practice or appliance whatsoever, or shall be guilty of any willful act or omission by means whereof the United States shall be deprived of the lawful duties, or any portion thereof accruing upon the merchandise, or any portion thereof, embraced or referred to in such invoice, affidavit, letter, paper or statement, or affected by such act or omission, such merchandise or the value thereof to be recovered from the person making the entry, shall be forfeited, which forfeiture shall only apply to the whole of the merchandise or the value thereof in the case or package containing the particular article or articles of merchandise to which such fraud or false paper or statement relates. And such person shall, upon conviction, be fined for each offense a sum not exceeding five thousand dollars, or be imprisoned for a time not exceeding two years or both, in the discretion of the Court."

It is needless for me to remind you that the object of this section of the customs administrative act is to secure to the United States its just duties. And it is also the intent of the revenue laws of the United States that all parties importing or bringing into the United States merchandise of any kind, shall stand upon an equal footing before the law. And any violation of these customs laws is not only a deprivation of the United States of its just dues, but also works an injustice to all others who conform to the laws and pay the duties imposed upon the merchandise they import.

IMMIGRATION LAWS.

Gentlemen of the Jury: It has been the settled policy of the United States to exclude from our shores certain classes of immigrants deemed to be an undesirable element to add to our population, and the laws of Congress passed relative thereto from time to time, have been sought to be rigidly enforced by both the administrative and judicial branches of the government. Among the classes excluded are women and girls who are imported for purposes of prostitution, which subject I have already called to your attention.

Among the other classes are persons unlawfully brought to the United States under the provisions of the Act of March 3, 1903, relative to the "Immigration of aliens into the United States" that such unlawfulness consisting in the fact that they have been assisted or encouraged to come into the country under contracts or agreements, or offers or promises of labor and their transportation prepaid by the parties encouraging them to come into the country under the conditions stated.

I do not deem it necessary to go into these laws in detail. The United States District Attorney, as I have heretofore suggested to you, will be ready and willing to add you in your investigations into all these matters, making clear to you what laws have been assisted or encouraged to come into the country under contracts or agreements, or offers or promises of labor and their transportation prepaid by the parties encouraging them to come into the country under the conditions stated.

If you should desire any further instructions from the Court you are at liberty to ask for them at any time and upon any of the matters embraced in this charge or any other offenses that you may have under investigation. I appoint Mr. Atwater your foreman; you can select your own secretary.

ESTEE.

October 12, 1903.

LABOR CONDITIONS AND ISLAND NECESSITIES.

The interview with the Honorable S. B. Boulton, Chairman of the London Labor Conciliation and Arbitration Board, published in the Advertiser of yesterday, was very interesting in itself and tends to show how far advanced Great Britain is towards the ultimate solution of the temporary controversies between capital and labor, by the only method in which those controversies can be definitely and harmoniously adjusted.

Boards of Conciliation are not unknown in the United States, and, in some instances, they have proved beneficial. Arbitrations, resting upon some plan casually or temporarily adopted for each particular occasion, have been frequent and not unsuccessful. The Anthracite Coal Strike Commission was an instance of this kind, although that arbitration, while based upon mutual consent and not the result of any legislation, was nevertheless in a sense compulsory, because the effect of the strike itself, the arbitrary conduct of some of the corporations involved, and the enormous rise in the price of coal, which touched the livelihood of the poor and the necessities of all, produced an irresistible pressure of public opinion.

But the United States in the treatment of labor difficulties is undoubtedly behind Great Britain, for the reason that there the supremacy of intelligible law is fully acknowledged on all sides, while here an essential preliminary to fraternal adjustments between Capital and Labor is that both, in their various combinations, shall rest not only upon an equality of right but upon absolute submission to the law, constitutional and statutory. Upon assumptions on either side that controvert fundamental principles, on which the security and stability of our institutions depend, there can be no conciliation or arbitration. When, however, all combinations are made lawful, both in their ends and in the means they employ, and still further when labor unions are made responsible for their engagements, a solid foundation will exist, upon which the superstructure of American fraternity can be erected.

The legislation existing and projected, together with the strenuous action of President Roosevelt and his advisers, in relation to certain forms of trust or monopoly, points towards a solution of the complicated difficulties with capital. With an evident and profound sympathy with all forms of labor, the President, moreover, has sounded the key-note for the legislation of labor unions. In the Miller case discrimination in favor of unionized men was in terms demanded, by a walking delegate in Chicago, and more formally by Mr. Gompers, speaking for the American Federation of Labor, but the demand was flatly refused. "I am President," said Mr. Roosevelt, "of all the people of the United States without regard to creed, color, birthplace, occupation or social conditions," and, for this reason, applicable not only to government employees but to the people at large, he refused to prefer union men, who are the great majority, or to place employment upon any other basis than qualification.

This may be termed a bed-rock doctrine, of which many of the labor unions have lost sight. Illegal purposes have naturally led to illegal and violent methods. The Anthracite Coal Strike Commission—in which judicial and executive capacity applied to the good of the entire population, the spirit of universal brotherhood pervading the modern aspects of religion, and the most advanced and applied theories of both labor and capital, were alike represented—while distinctly acknowledging "the beneficence of labor unions," was nevertheless compelled in respect to the coal strike, to say: "Its history is stained with a record of riot and bloodshed, culminating in three murders, unprovoked save by the fact that two of the victims were asserting their right to work, and another, as an officer of the law, was performing his duty in an attempt to preserve the peace. Men who chose to be employed or who remained at work, were assaulted and threatened and their families terrorized and intimidated. In several instances the houses of such workmen were dynamited, or otherwise assaulted, and the lives of unoffending women and children put in jeopardy." It is not surprising that, after denouncing the boycott, the Commission—accepted by important unionized organizations and under the signature of at least one of the deepest thinkers on labor issues—added: "A labor or other organization, whose purpose can only be accomplished by the violation of law and the order of society, has no right to exist."

These views were endorsed by no less a personage than Dr. Walter C. Weyl, who styled the Commission, the conclusions of which were adopted and are being carried out, "a great contributor to industrial peace." But a still more expressive endorsement was by Clarence S. Darrow, who, as counsel before the Commission for the United Mine Workers, gained a reputation for intellectual power, for professional skill and for vital sympathy with labor, that was scarcely paralleled even by Mr. Mitchell. In an address at Chicago on "The Perils of Trade Unionism," he invited the attention of the unions to the fact that they depended for their continued existence upon the active sympathy of the mass of citizens who could not themselves be unionized, and in allusion to the ephemeral prosperity of the Knights of Labor, boldly said: "It does not follow that trade unionism will live because it is so strong today." "The great growth of trade unionism has caused the workman to feel his power, it has necessarily made many of them arbitrary, unreasonable and unjust in their demands." His address was a frank and solemn warning against the features of some, not all, of the unions, which, unless abolished, will surely lead to their disintegration.

The exact situation is summed up by the Philadelphia North American in this striking language: "A crisis in the life of organized labor in the United States is impending. It is fore-shadowed in aimless strikes, in irrational unrest, in the seething turbulence of masses of men who can give no lucid reason for their turmoil, in the defensive drawing together of harassed employers, in the growing hostility of public opinion to purposeless disturbers of business."

It is palpable that the first question to be settled in this country is that of unconditional submission to organic law and to statutory enactments which are subject to change through the force of public opinion, expressed by qualified voters. That done, conciliation and arbitration, which are vital elements in our institutions, will be generally accepted. Let the real men of thought and knowledge, of whom there are many in the labor organizations, supersede the breeders of disturbance, whose primary object is to fill their own pockets and to gratify their own appetites, and the desideratum will soon be reached.

In this Territory, to which the policy of the mainland is in many respects inapplicable, there is no soil for the fertilization of rotten seeds, deposited by walking delegates. Here, in round numbers, there are 60,000 Japanese, 30,000 Chinese, 14,000 Portuguese, 30,000 natives a small number of Koreans and Porto Ricans, and perhaps 10,000 kamaianas and malahinis, who, with the natives, constitute the bulk of the voting population. In the higher walks of labor, there is increasing opportunity for the classes of wage-earners who are qualified for unionization, and unequal competition between them and alien races, incapable of citizenship, may call for wise Congressional action. But on the plantations as they now are, there is a dearth of labor that no unions can remove, simply because they cannot alter local conditions. If the plantations were enlarged and multiplied, as they ought to be, the demand for this inferior labor would be enormous. If the walking delegates were suppressed, if such unions on the mainland are lawless in their aims or modes of action were reconstructed, and if their best and wisest men actually and impartially studied labor conditions on these Islands, and realized the increase of remunerative work, skilled and unskilled, that would follow guarded and just legislation for the benefit of the plantations, and, therefore, for the country, an influence would be brought to bear at Washington that would be irresistible and which would help American labor and American capital to a degree that would relegate "dog in the manger" politicians and demagogues to the obscurity from which they should never have emerged.

TIMELY SYMPATHY.

The widow—I suppose you know that Dr. Rich's wife died yesterday?

The bachelor—Yes, poor fellow! I sent him a message of sympathy this morning.

The widow (who believes in telepathy)—I did, too—sent a mental message.

"Sentimental message! Whew! But you are rushing things!"

NORFOLK, Va., Oct. 13.—Four vessels were lost and three are missing as a result of the recent storms. Five people have been drowned.

ST. PAUL, Oct. 13.—The Great Northern railroad will spend a million of dollars on Seattle harbor.

SAN JUAN, Oct. 13.—Socialists attacked the police here during the day and forty were arrested.

BY AUTHORITY.

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT, TERRITORY OF HAWAII—AT CHAMBERS—IN PROBATE.

In the Matter of the Estate of J. Kamakele, Deceased—Order of Notice of Hearing Petition for Administration.

On reading and filing the petition of Mrs. Kaahala Kamakele, of Kula, Maui, alleging that J. Kamakele, of said Kula, Maui, died intestate at Keokea, Kala, on the 18th day of November, A. D. 1902, leaving property in the Hawaiian Islands necessary to be administered upon, and praying that Letters of Administration issue to herself.

It is ordered that Wednesday, the 4th day of November, A. D. 1903, at 10 o'clock a. m., be and hereby is appointed for hearing, said Petition in the Court Room of this Court at Wailuku, at which time and place all persons concerned may appear and show cause, if any they have, why said Petition should not be granted, and that notice of this order be published in the Hawaiian and English languages for three successive weeks in the "Kuo-kou" and "Hawailian Gazette," newspapers in Honolulu.

Dated at Wailuku, Maui, October 2nd, 1903.

(Seal.)
(Signed) JOHN W. KALUA,
Judge of the Circuit Court of the Second Circuit.

Attest:
(Signed) L. R. CROOK,
Clerk of the Circuit Court of the Second Circuit.

2527—Oct. 6, 13, 20, 27.

THE REPUBLICAN
COUNTY TICKETS

All of the regular Republican candidates for the counties of Oahu, Maui, East Hawaii and West Hawaii have had their nominations filed with Registrar Buckland. Independent candidates for counties other than Oahu must have their papers filed by tonight. On Oahu ten days more are available. S. K. Kaeo, Republican, is running independently against J. D. Willard, the convention nominee, for county attorney of Kauai. An effort is being made to have Kaeo retire, which may be successful before the nominations close.

Of a full ticket for supervisors put up by the Kauai Home Rulers, only J. B. Lelelewi stays in the field. He could not get in his nomination yesterday because it was two short of the required 25 signatures, but he went out to look up three or four friends in town from the garden isle and hoped to have his papers filed in due time.

PAITY NOMINEES
OUTSIDE OF OAHU

F. W. Wittrock, candidate on the Republican ticket for Treasurer of Maui County, has been a resident of the Hana district for over thirty years. Mr. Wittrock was born in Copenhagen, Denmark, fifty-five years ago. When he arrived at Hana, thirty years ago, his uncle, the late August Unna, was the owner of Hana Plantation. He commenced work on this plantation as a laborer, later occupying the positions of stowholder, bookkeeper and head luna. When Mr. Unna died in 1885, Mr. Wittrock left the plantation and for a few years was bookkeeper for J. Greenwald, who had a store at Hana. In 1892 Mr. Wittrock established himself on the Reciprocity Plantation and had a store there for about eight years. Since 1899 Mr. Wittrock has been deputy sheriff at Hana and still occupies that position. For many years he has been School Agent and Secretary of the Hana Road Board.

To the Hawaiians Mr. Wittrock is known as Kenemaka and they have a special aloha for him owing to his long residence in the district and the fact that he is married to a Hawaiian lady and has a family.

FIRE CLAIMS IN
FEDERAL COURT

Several fire claim awards were brought into the United States District Court yesterday for adjudication. William F. MacLennan, U. S. Treasury agent sent here to pay the million dollars appropriated by Congress, is plaintiff and various disputing claimants the defendants in chancery suits for the purpose mentioned.

There is an award of \$445.56 adversely claimed by Tong On Kee and M. S. Grinbaum & Co.

The sum of \$377.49 out of an award of \$1440 is disputed between K. Meek, Chang Shee and Chong Lum.

The estate of James Campbell and Tong Sing Co. dispute the sum of \$1832.75 out of an award of \$2700.

It is for the court to decide, in each case, which claimant is entitled to payment of the amount in controversy.

NOT CARPET-BAGGERS.

"Well, the airs of you!" sneered the monkey. "You must think you're swell."

"My dear sir," quietly replied the elephant, "we have always been fashionable. Why, when everybody had to move out of the Garden of Eden we were the only ones who had trunks."—Philadelphia Press.